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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, show favor to our land and bless us with Your grace. Guide our lawmakers so that they will strive for complete honesty in their work for liberty.

Lord, empower them to give and not to count the cost, to strive and not to heed the wounds. Enable them to toil and not to seek rest, working for no reward except of knowing they are doing Your will. May each Senator strive to walk blameless, speak truth, and honor You.

We pray in Your righteous Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 26, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

JUDICIAL NOMINATIONS

Mr. SCHUMER. Well, Mr. President, today is going to be a busy day on the floor of the Senate. Last week, I filed cloture on five of President Biden's nominees to serve as U.S. district judges, and today, we are going to begin working on these nominees.

Even as Senate Democrats proceed on our agenda to help working and middle-class families and tackle the climate crisis, we will not relent on speedily filling the vacancies in our Federal judiciary with qualified, mainstream, and diverse jurists.

Yesterday, we took a big step forward towards achieving that goal by confirming Myrna Perez to serve on the Second Circuit, one of the most important courts in the land, and the judges we will begin considering today continue that effort: more civil rights lawyers, more diverse candidates, more Federal defenders.

To date, the Senate has now confirmed 13 nominees to serve on our district courts, with 20 overall lifetime appointments to the Federal bench. Many of these individuals are knocking down longstanding barriers to the halls of justice: the first Native American judge, the first Muslim-American district judge. And among all of the President's nominees to date, over half—over half—are women. We are proud of that.

In a broader sense, President Biden's judicial nominees are also expanding and rewriting the rules of who merits consideration for the bench. Our Fed-

eral courts have long been presided over by former corporate lawyers and prosecutors and men. To be sure, many of these individuals have served admirably as judges, and I have been proud to support many of them over the years. But our Federal judges, more than ever—more than ever—are an essential component of our democracy, and they should better reflect the richness and diversity of our Nation—not just demographic and cultural diversity, as important as that is, but professional diversity, too.

We need more judges who know what it is like to defend people who normally can't afford attorneys. We need more judges who have fought for those who have faced discrimination in the workplace or because of the color of their skin. We need more judges who understand the economic hardship that so many people have and when they are forced to sign documents and other things that will hurt them economically. And we need judges who have been in the fight against these efforts—stronger than they have ever been, unfortunately—to undermine our democracy.

We need our Federal bench, in other words, to mirror our country as a whole. That is how we restore balance to the bench and strengthen people's trust in the Federal judiciary.

So, as a Democratic majority, we are going to keep working this week to make sure these nominees are confirmed by this Chamber. I hope both sides can work in good faith to move the process along quickly and in a bipartisan fashion.

BUILD BACK BETTER PLAN

Mr. SCHUMER. Mr. President, now on Build Back Better, this week, Democrats are continuing to make important progress toward finalizing President Biden's Build Back Better plan, and we remain confident that a final deal is within reach.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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When Democrats first set out to pass historic legislation to boost our economy and invest in everyday Americans, we knew that the task wouldn't be easy. The challenges that our country faces are manifold and they are severe—from the hardship of raising a family to securing a good-paying job, to affording something as basic as healthcare and the cost of prescription drugs.

Tackling these issues head-on was sure to be an immense challenge. Doing big things in Congress is always hard. But we didn't choose elected office just to pursue the easy things. We came here to do the hard things, the important things, the things that will impact Americans—working-class Americans, middle-class Americans, those struggling to get into the middle class and those struggling to stay there—that will impact those people for generations.

That is what these negotiations have been about: doing the hard work to deliver something big for the American people.

Nobody—nobody—is going to get everything they want, but we all know we need to keep our promise to the American people.

We need to tackle the climate crisis head-on, and the programs we are trying to enact will empower us to meet the President's emission goals.

We need to help working parents and give every child in America a chance to succeed in school and in life, and programs being discussed will help improve countless of lives.

And we need, I believe, to strengthen vital services, like Medicare—relied on by millions of Americans—and to make healthcare more affordable. I believe this is so important, and we are working to get it done.

Democrats will continue fighting until we are able to pass this transformational legislation. The progress of last week illustrated how, if we stick together, work towards finding that legislative sweet spot, then we can succeed.

That is worth a few hard days. In fact, it is worth many hard days. We have some more work to do, but we remain committed to forging ahead until we reward the trust the American people have placed in us.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

BORDER SECURITY

Mr. McCONNELL. Mr. President, 1.7 million people, that is the record-shattering number of illegal immigrants detained along our southern border in just the last 12 months. In 1 year, 1.7 million people tried to take advantage of the Biden administration's intentionally unsecure border and come here illegally. This is the most ever recorded.

There are 11 States whose populations are smaller than 1.7 million. Of the 1.7 million, more than 1 million were single adults. That is nearly two-thirds—not family units, not unaccompanied children, but adults on their own.

In many cases, this is not about escaping disaster or persecution; this is about wanting a better job in America. It is less about emergency refugees and more about economics. Legal immigration in pursuit of a better future is a core part of our country. It reflects our values, and it makes us stronger.

We are a generous country that wants to welcome ambitious new Americans who come here the right way. But it is beyond disingenuous for the Biden administration to pretend that huge numbers of people who simply want better jobs are emergency refugees. Those are two entirely different things.

In this 12-month span, authorities arrested people from 160 different countries. In this 12-month span, authorities arrested people from 160 different countries.

Think about that. The U.S. recognizes 195 countries in the entire world. Customs and Border Protection ran into people from all but 35 of the entire number of countries in the world.

On numerous occasions, these people have told reporters they are coming specifically—specifically—because of President Biden. His campaign rhetoric and his policy decisions have directly—directly—created this crisis.

Late last December, about a month before the President took office, he literally said “the last thing we need” would be if his administration pursued policy changes that caused us to “end up with 2 million people on our border.”

That was the President last December. That is how President-elect Biden himself defined failure on our border last December: 2 million people showing up.

Well, that is exactly what he has brought about, all because of the liberal misapprehension that a weak and porous border is a compassionate border. It is not.

Even now, even as President Biden faces the exact definition of failure, which he himself laid out, the administration won't change course. A few weeks ago, Secretary Mayorkas released radical new guidance that essentially tries to create amnesty by executive fiat.

This Mayorkas memo told ICE that, now, being in the country illegally

“should not alone be the basis” for making arrests—a baseline policy of no enforcement, with exceptions for certain extenuating circumstances.

Last week, before the Judiciary Committee, under questioning from Senator CORNYN, even the President's own nominee to CBP had to admit that non-enforcement policies are a magnet that make the problem worse.

Even before the new Mayorkas memo, over the whole last 12 months, immigration arrests in the interior of the country fell—fell—to their lowest level in more than a decade. ICE arrested half as many people this past year as they did on average in previous years.

Put two and two together: CBP encounters at the border are at historic highs, but ICE enforcement is down to a decade low—encounters at the border at a historic high, but enforcement down to a decade low.

This doesn't make any sense, unless we are looking at functional amnesty through nonenforcement.

But even now, Democrats keep pushing more new policies to incentivize illegal immigration. Their next reckless taxing-and-spending spree proposes to double down on Democrats' new monthly welfare deposits that can flow directly to people who are here illegally. This is a Democrat-created crisis from top to bottom.

THE ECONOMY

Mr. McCONNELL. Mr. President, now, on another matter. On the whole, the taxing-and-spending spree the Democrats want to ram through will hurt families and help China. But when you take a close look, there are some special groups of people here at home who would make out like bandits. There are specific special interests that Democrats take great pains to look after.

Let me give you an example. A whole chunk of money the Democrats' proposal supposedly sets aside for patient healthcare would actually finance ultragenerous benefits for members of the powerful leftwing union, the SEIU.

The Big Labor bonanza doesn't stop there. Democrats' tax plans would allow the expiration of Americans' above-the-line deduction for charitable and nonprofit donations. But in its place, they want to create a brandnew subsidy for—listen to this—union dues. Tough luck for the Red Cross and your church collection plate; Washington Democrats say Big Labor bosses come first.

Democrats also propose lavishing billions of dollars on something they call environmental and climate justice block grants—environmental and climate justice block grants. That sounds like a gift-wrapped giveaway to the universe of nonprofits and activist groups that seemingly exist to grift off of government grants.

They would spend billions more on tax credits to subsidize luxury purchases that are overwhelmingly made

by wealthy people, like electric cars and \$8,000 electric bicycles.

Then there are billions more in special subsidies and loans for the next generation of Solyndras.

The gravy train doesn't stop there. When the Biden administration proposed spending \$40 billion on public housing renovations, the senior Senator from New York urged them to double down and spend \$40 billion exclusively on his hometown—exclusively on his hometown. That is \$40 billion to a housing authority that is apparently well known for bribery and mismanagement simply because the Democratic leader requested it.

Meanwhile, in Speaker PELOSI's backyard of San Francisco, the elite trustees of a massive park and development project—oh, boy, they are licking their chops. The Speaker plans to set aside \$200 million of the spending spree for this park that is specifically not meant to receive taxpayer money, so they can focus on “environmental and social justice.”

The Democrats' spree would also tear down longstanding, bipartisan Hyde amendment protections so they can directly fund abortion providers like Planned Parenthood with taxpayer dollars. Today's left cannot miss an opportunity to send Planned Parenthood a new slush fund.

Then there is the Democrats' obsession with the so-called SALT cap. Even as our colleagues draft the biggest tax hikes in half a century, they cannot resist the concept of special tax cuts for high earners in blue States. They want to reintroduce the Federal tax subsidy for living in high-tax States. One outside analysis found that a 2-year repeal of the SALT cap would send more than—listen to this—more than \$300,000 to the average household in the top 0.1 percent of our country. The average household in the bottom 60 percent would get \$15. This isn't a joke; this is literally the SALT policy that Democrats want—300 grand for the richest folks on the coast and 15 bucks for normal families.

It is the same setup everywhere you look. Special interests who are connected to the Democratic Party would make out like bandits, and middle-class families, they will get the bill.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Jia M. Cobb, of Virginia, to be United States District Judge for the District of Columbia.

The ACTING PRESIDENT pro tempore. The majority whip.

JUDICIAL NOMINATIONS

Mr. DURBIN. Mr. President, I have good news. This week, the U.S. Senate is going to consider five highly qualified Federal district court nominees. Before briefly speaking on their records, I want to make a few broad observations.

First, each of these nominations was recommended by the White House, by their home State Senators, or, in the case of the D.C. District Court, by District of Columbia Representative ELEANOR HOLMES NORTON. I want to commend my colleagues—they did their job. They continued to identify and recommend nominees who have the experience and the temperament needed to serve on the Federal bench.

Second, these nominees represent an important cross-section of professional diversity. They have served as public defenders. They have also been prosecutors, civil rights attorneys, municipal lawyers, and even sitting judges.

Third, all five of these nominees received bipartisan support in the Judiciary Committee. How about that, bipartisan support in the committee. That is a testament to their abilities, qualifications, and character. I thank my Republican colleagues who made that possible.

Finally, these nominees understand the limited role a judge plays in our judicial system. They have to be guided by evenhandedness, impartiality, and fidelity to the rule of law. We have seen that in their records. These records have been scrupulously reviewed by staff on both sides—Democrat, Republican, in addition to the White House, obviously. We have seen it in their testimony before the Judiciary Committee, and we have seen it in the broad support they had from the legal communities where they live.

Let me tell you a bit about each of them.

First is Jia Cobb, nominated to the District Court for the District of Columbia. Ms. Cobb has more than 15 years of experience as a trial litigator. She has tried more than 30 cases to verdict in both civil and criminal cases. This depth of experience is one of the reasons she was rated unanimously—unanimously—“well qualified” by the American Bar Association.

For nearly a decade, she has represented people seeking to uphold their rights when it comes to the Nation's housing, disability, and employment discrimination laws.

Critically, Ms. Cobb understands the distinction between being an advocate and a judge. As a judge on the District of D.C., she has promised to rule based

on the law and facts of the cases before her.

Next is Judge Karen Williams, nominated to the District of New Jersey. Like Ms. Cobb, Judge Williams was unanimously rated “well qualified” by the ABA. That is a testament to her integrity, temperament, and experience, which includes 12 years as a Federal magistrate judge and another two decades as a practicing litigator.

She has the strong support of both Senators from New Jersey, MENENDEZ and BOOKER, and many throughout the New Jersey legal community.

We will also be voting this week on the nomination of Patricia Giles to the Eastern District of Virginia. Ms. Giles has a deep understanding of the district which she has been nominated to serve. As a Federal prosecutor, she tried more than 20 cases to verdict, and prosecutors and defense counsel alike have praised her fairness and her tenacity.

Ms. Giles also received a unanimous “well qualified” rating from the American Bar Association and has the strong support of her Senators, WARNER and KAINE.

The Senate will consider Judge Michael Nachmanoff, nominated to the Eastern District of Virginia. He has served as a Federal magistrate judge since 2015, following an accomplished career as the district's appointed Federal defender.

Judge Nachmanoff also received a unanimous “well qualified” rating from the ABA. He has the strong support of both Virginia Senators. Like Ms. Giles, Judge Nachmanoff received praise from prosecutors and defense attorneys alike. It is a testament to his integrity and evenhandedness.

Finally, the Senate is going to consider Sarala Nagala, nominated to the District of Connecticut bench. Ms. Nagala is an accomplished Federal prosecutor. She has devoted her career to very serious cases involving human trafficking, child exploitation, identity theft, hate crimes, and fraud.

Like each of the nominees, she received a unanimous rating of “well qualified” from the ABA and has strong support from Senators BLUMENTHAL and MURPHY.

I ask all my colleagues to join me in supporting these five extremely high-qualified nominees. With their record, experience, and evenhanded approach, they will be ready on day one to serve in the critically important role of district court judge.

Finally, let me say that for many of these people, this decision to move forward and ask for appointment to the Federal judiciary carries with it status and admiration from many people—most people—but it also may mean some personal sacrifices. They are now going to be officially in public life, and that brings with it, as we all know, some burdens. They are willing to accept that and their families are willing to accept it as they continue to serve as Federal judges.

I hope my colleagues will join me in approving them. I hope it is done this week in a timely manner.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GOVERNMENT SPENDING

Mr. THUNE. Mr. President, Democrats continue to negotiate with each other on their reckless tax-and-spending spree. Democrats are currently working to lower the bill's top-line number in an effort to meet some of the demands of the few moderate Democrats who have reservations about unchecked government spending.

Now, you might think that lowering the top-line number would involve deciding what programs and spending to eliminate to bring the bill in at a lower cost. Well, not exactly. Yes, Democrats are reportedly eliminating some spending, but the word is that, under pressure from progressives, who are dead set against curtailing their plans for expanding government, Democrats are planning to keep a lot of their most expensive proposals, but simply shorten the funding window to make the costs of these programs seem lower.

Take Democrats' fantastically expensive child allowance. Democrats have every intention of turning their child allowance into a permanent government welfare program, but in order to bring the top-line number of their spending bill down, the word is that Democrats are now planning to officially extend the allowance for just 1 year.

This is, in fact, a budget gimmick on top of a budget gimmick, as Democrats were already attempting to disguise the true cost of the child allowance by officially extending it for just 4 of the 10 years in the bill's 10-year budget window.

They were never, of course, planning to eliminate the child allowance after 4 years, and they are certainly not planning to eliminate it now after 1 year, but by officially extending it for just a year in their tax-and-spending spree, they can manage to make the program look as if it will cost hundreds of billions of dollars less than it will actually cost.

And they are apparently repeating this strategy with a number of their other spending measures.

That paid leave program? Apparently, the White House has proposed a smaller version that would supposedly expire after 3 or 4 years.

Those childcare subsidies? Apparently, those may also now, ostensibly, expire.

The ObamaCare subsidies Democrats want to extend permanently? Well,

once again, it sounds like they are going to try shrinking the apparent cost with a short-term extension.

But, again, let's be very clear here. These short-term extensions and short-term programs are nothing more than a budget gimmick to disguise the true cost of the Democrats' plan. There isn't one program that I have named that Democrats don't fully intend to make permanent.

Don't believe me? Just ask the Congressional Progressive Caucus, which outlined the strategy the Democrats are currently adopting in a letter to Speaker PELOSI.

I quote from that letter:

If given a choice between legislating narrowly or broadly—

the caucus wrote—

—we strongly encourage you to choose the latter, and make robust investments over a shorter window . . . This will help make the case for our party's ability to govern, and establish a track record of success that will pave the way for a long-term extension of benefits.

So the plan is to make these programs permanent and to permanently and massively expand the size of government. Democrats hope to get Americans hooked on the government benefits they are offering while hiding the true costs of those benefits from the American people until it is too late.

Frankly, it is not a bad strategy if your aim is to permanently expand the size of government because the truth is it is pretty hard to eradicate even the most inefficient and ineffective Federal program once it has been put into place.

As Ronald Reagan used to say, the nearest thing to eternal life that we will ever see on this earth is a government program.

That, of course, is what the Democrats are counting on. They believe that, once they put these programs in place, no one from either party will be able to get rid of them.

What is less clear is how Democrats believe these programs are going to be funded in the long term, if, in fact, they have given any thought to that issue at all. I wouldn't be surprised if they haven't.

It is important to note that the short-term programs and program extensions in the Democrats' tax-and-spending spree will be paid for by 10 years of taxes. That is right. It will take 10 years of taxes and other revenue-raising measures to pay for programs that are scheduled to last as little as 1 year.

So what happens when Democrats want to extend that child allowance again next year or extend those childcare subsidies for the long term?

Well, that is a really good question, and one for which I would love to hear the Democrats' answer.

Are Democrats going to trot out more tax hikes to pay for extending the child allowance or making the childcare subsidies permanent? Or are they going to just suggest that we add

hundreds of billions—and eventually trillions—to our already dangerously large national debt? And, if they opt for tax hikes, just who is going to be facing those tax hikes?

The Democrats are eventually going to run out of money from millionaires and billionaires, and then they are going to start coming after the wallets of the middle class.

Of course, when I say that the programs in the Democrats' tax-and-spending spree will be paid for with 10 years of taxes, I mean that Democrats are claiming—claiming—that those programs will be paid for, because it is by no means clear that Democrats' tax hikes and revenue-raising measures will actually result in the revenue they are claiming.

Democrats, for example, are claiming that their proposal to increase IRS enforcement measures, including a new requirement that would allow the IRS to look into the details of Americans' spending, will allow them to collect \$700 billion in revenue; but the Congressional Budget Office hasn't confirmed that estimate, and there is substantial reason to doubt that Democrats will be able to collect anywhere even close to that amount even with a doubling of the IRS's budget, a massive expansion of a number of IRS employees, and a number of audits of everyday Americans.

Even if Democrats do manage to rake in every dollar they are claiming, the tax hikes and revenue raisers they are proposing would have long-term costs beyond the dollar amount of the tax hikes.

More than one of the Democrats' tax proposals would have a chilling effect on investment and economic growth, which would mean a less vibrant economy with fewer jobs and opportunities for American workers, and the IRS proposal I mentioned could put the details of Americans' ordinary bank activities into the hands of the IRS, an agency that we have seen repeatedly mishandle the taxpayer data it already has, as recently as earlier this year.

Democrats may be able to come up with a smaller top-line number by hiding the true costs of the government programs they are contemplating, but their "buy now and pay later or pay never" approach to government spending is going to have serious consequences for our economy and for the American people.

Unfortunately, by the time the full costs of Democrats' massive government expansion are felt, it may be too late to do much about it; and that, apparently, is what Democrats are counting on.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WARNOCK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PADILLA). Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 339, Jia M. Cobb, of Virginia, to be United States District Judge for the District of Columbia.

Charles E. Schumer, Ben Ray Lujan, Richard J. Durbin, Christopher A. Coons, Elizabeth Warren, John Hickenlooper, Jacky Rosen, Brian Schatz, Tammy Baldwin, Patrick J. Leahy, Kirsten E. Gillibrand, Richard Blumenthal, Benjamin L. Cardin, Catherine Cortez Masto, Cory A. Booker, Raphael G. Warnock, Alex Padilla.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jia M. Cobb, of Virginia, to be United States District Judge for the District of Columbia, shall be brought to a close?

The yeas and nays are mandatory under the rules.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The yeas and nays resulted—yeas 51, nays 46, as follows:

[Rollcall Vote No. 427 Ex.]

YEAS—51

Baldwin	Heinrich	Padilla
Bennet	Hickenlooper	Peters
Blumenthal	Hirono	Reed
Booker	Kaine	Rosen
Brown	Kelly	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Lujan	Sinema
Collins	Manchin	Smith
Coons	Markey	Stabenow
Cortez Masto	Menendez	Tester
Duckworth	Merkley	Van Hollen
Durbin	Murkowski	Warnock
Gillibrand	Murphy	Warren
Graham	Murray	Whitehouse
Hassan	Ossoff	Wyden

NAYS—46

Barrasso	Ernst	McConnell
Blackburn	Fischer	Moran
Blunt	Grassley	Paul
Boozman	Hagerty	Portman
Braun	Hawley	Risch
Burr	Hoeben	Romney
Capito	Hyde-Smith	Rubio
Cassidy	Inhofe	Sasse
Cornyn	Johnson	Scott (FL)
Cotton	Kennedy	Scott (SC)
Cramer	Lankford	Shelby
Crapo	Lee	Sullivan
Cruz	Lummis	
Daines	Marshall	

Thune	Toomey	Wicker
Tillis	Tuberville	Young

NOT VOTING—3

Feinstein	Rounds	Warner
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The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 46.

The motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 342, Karen McGlashan Williams, of New Jersey, to be United States District Judge for the District of New Jersey.

Charles E. Schumer, Ben Ray Lujan, Richard J. Durbin, Christopher A. Coons, Elizabeth Warren, John Hickenlooper, Jacky Rosen, Brian Schatz, Tammy Baldwin, Patrick J. Leahy, Kirsten E. Gillibrand, Richard Blumenthal, Benjamin L. Cardin, Catherine Cortez Masto, Cory A. Booker, Raphael G. Warnock, Alex Padilla.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Karen McGlashan Williams, of New Jersey, to be United States District Judge for the District of New Jersey, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The PRESIDING OFFICER. (Mr. LUJAN). Are there any other Senators in the Chamber desiring to vote or change their vote?

The yeas and nays resulted—yeas 58, nays 40, as follows:

[Rollcall Vote No. 428 Ex.]

YEAS—58

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	Kennedy	Shaheen
Capito	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Lujan	Tester
Collins	Manchin	Tillis
Coons	Markey	Toomey
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Grassley	Padilla	
Hassan	Peters	

NAYS—40

Barrasso	Hagerty	Risch
Blackburn	Hawley	Romney
Blunt	Hoeben	Rubio
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Scott (FL)
Burr	Johnson	Scott (SC)
Cassidy	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Paul	
Fischer	Portman	

NOT VOTING—2

Feinstein	Rounds
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The PRESIDING OFFICER. On this vote, the yeas are 58, the nays are 40.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Karen McGlashan Williams, of New Jersey, to be United States District Judge for the District of New Jersey.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 364, Patricia Tolliver Giles, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Charles E. Schumer, Mazie Hirono, Tammy Duckworth, Martin Heinrich, Christopher A. Coons, Jack Reed, Benjamin L. Cardin, Angus S. King, Jr., Alex Padilla, Jeff Merkley, Christopher Murphy, Sheldon Whitehouse, Tina Smith, Jeanne Shaheen, Richard J. Durbin, Richard Blumenthal, Robert P. Casey, Jr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Patricia Tolliver Giles, of Virginia, to be United States District Judge for the Eastern District of Virginia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The yeas and nays resulted—yeas 69, nays 29, as follows:

[Rollcall Vote No. 429 Ex.]

YEAS—69

Baldwin	Blumenthal	Booker
Bennet	Blunt	Brown

Burr	Hyde-Smith	Reed
Cantwell	Kaine	Romney
Capito	Kelly	Rosen
Cardin	King	Sanders
Carper	Klobuchar	Schatz
Casey	Leahy	Schumer
Cassidy	Lee	Shaheen
Collins	Luján	Sinema
Coons	Manchin	Smith
Cornyn	Markey	Stabenow
Cortez Masto	McConnell	Tester
Duckworth	Menendez	Tillis
Durbin	Merkley	Toomey
Fischer	Murkowski	Van Hollen
Gillibrand	Murphy	Warner
Graham	Murray	Warnock
Grassley	Ossoff	Warren
Hassan	Padilla	Whitehouse
Heinrich	Paul	Wicker
Hickenlooper	Peters	Wyden
Hirono	Portman	Young

NAYS—29

Barrasso	Hagerty	Risch
Blackburn	Hawley	Rubio
Boozman	Hoeven	Sasse
Braun	Inhofe	Scott (FL)
Cotton	Johnson	Scott (SC)
Cramer	Kennedy	Shelby
Crapo	Lankford	Sullivan
Cruz	Lummis	Thune
Daines	Marshall	Tuberville
Ernst	Moran	

NOT VOTING—2

Feinstein	Rounds
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The PRESIDING OFFICER (Ms. SINEMA). The yeas are 69, the nays are 29.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Patricia Tolliver Giles, of Virginia, to be United States District Judge for the Eastern District of Virginia.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:15 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

OPIOID CRISIS

Mr. CASSIDY. Madam President, we need to talk about the opioid crisis.

The 2020 data shows the largest annual increase in opioid deaths in the last 50 years. According to the Centers for Disease Control and Prevention, 69,710 Americans died last year from opioid-related overdoses, a 37-percent increase from 2019.

In Louisiana, the opioid crisis is getting worse—and fast. In 2020, our State, Louisiana, saw a serious spike and the steepest surge in drug overdose deaths in the Nation. Louisiana drug overdose deaths surpassed a record high 2,100 in the 12 months leading up to March 2021. Overdose mortality increased statewide by over 56 percent last year.

These numbers are devastating. Last year, opioid deaths increased, for example, in New Orleans by 51 percent

with 365 OD deaths, 69 percent in Jefferson Parish, 35 percent in St. Tammany, and a 64-percent increase in St. Bernard Parish. Deaths continue to climb throughout the State.

In Alexandria, Acadian Ambulance “responded to nearly 160 calls of opioid overdoses just in Rapides Parish—an average of over one call per day.”

East Baton Rouge Parish, the State capital, is seeing significant increases in fatal overdoses. According to a local TV station and the coroner’s office, 242 people died of an overdose in 2020. This year, through September, the East Baton Rouge Parish has seen 214 fatal overdoses, again, in the first 9 months of this year.

Now, the double tragedy of this is that these deaths are preventable. In 2018, Congress passed landmark opioid legislation, and for the first time in almost 30 years, the number of opioid deaths decreased. Then the pandemic hit. Louisiana became the top State in drug overdose growth during COVID-19. The pressure of the pandemic, the subsequent influx of fentanyl from other countries—all this increased drug addiction and, hence, drug death. After a year of lockdown, social isolation, and stress, the opioid-related deaths shot through the roof.

Now, the opioid crisis is an epidemic. We should treat it like one. It took a backseat to COVID during the pandemic, but it is time we bring renewed attention to the opioid crisis because, for opioids, there is no vaccine.

Over 1,900 folks in Louisiana lost their lives to drug overdose last year—again, a 48-percent increase from 2019. We must be aware that these are not just statistics; they are lives. They are mothers and fathers, daughters and sons, and friends losing their lives to addiction and being lost to others because of addiction.

It is a national crisis, a statistical crisis, and, most importantly, a personal crisis. And as the numbers speak for themselves, we feel it throughout Louisiana and our Nation.

We need to act now before more lives are lost. The crisis must be met head-on at all levels. We need to work with local leaders to make sure we implement opioid policies like the ones Congress has already passed in CARA and the SUPPORT Act. These provide resources to stop illegal drugs at the border, support the discovery of non-addictive painkillers, and deliver treatment to those already addicted. Every day we don’t take action, another mother loses a child, a son loses a father, and a wife loses a husband.

I am committed to solving this crisis and to saving these lives. Let’s come together as a Congress and rededicate ourselves to solving the opioid epidemic.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. ROSEN. Madam President, I request the scheduled vote occur immediately.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 365, Michael S. Nachmanoff, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Charles E. Schumer, Ben Ray Luján, Richard J. Durbin, Christopher A. Coons, Elizabeth Warren, John Hickenlooper, Jacky Rosen, Brian Schatz, Tammy Baldwin, Patrick J. Leahy, Kirsten E. Gillibrand, Richard Blumenthal, Benjamin L. Cardin, Catherine Cortez Masto, Cory A. Booker, Raphael G. Warnock, Alex Padilla.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Michael S. Nachmanoff, of Virginia, to be United States District Judge for the Eastern District of Virginia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from West Virginia (Mr. MANCHIN) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The yeas and nays resulted—yeas 51, nays 46, as follows:

[Rollcall Vote No. 430 Ex.]

YEAS—51

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Luján	Smith
Collins	Markey	Stabenow
Coons	Menendez	Tester
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Gillibrand	Murray	Warren
Graham	Ossoff	Whitehouse
Hassan	Padilla	Wyden

NAYS—46

Barrasso	Crapo	Johnson
Blackburn	Cruz	Kennedy
Blunt	Daines	Lankford
Boozman	Ernst	Lee
Braun	Fischer	Lummis
Burr	Grassley	Marshall
Capito	Hagerty	McConnell
Cassidy	Hawley	Moran
Cornyn	Hoeven	Paul
Cotton	Hyde-Smith	Portman
Cramer	Inhofe	Risch

Romney	Shelby	Tuberville
Rubio	Sullivan	Wicker
Sasse	Thune	Young
Scott (FL)	Tillis	
Scott (SC)	Toomey	

NOT VOTING—3

Feinstein	Manchin	Rounds
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The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Michael S. Nachmanoff, of Virginia, to be United States District Judge for the Eastern District of Virginia.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 366, Sarala Vidya Nagala, of Connecticut, to be United States District Judge for the District of Connecticut.

Charles E. Schumer, Ben Ray Lujan, Richard J. Durbin, Christopher A. Coons, Elizabeth Warren, John Hickenlooper, Jacky Rosen, Brian Schatz, Tammy Baldwin, Patrick J. Leahy, Kirsten E. Gillibrand, Richard Blumenthal, Benjamin L. Cardin, Catherine Cortez Masto, Cory A. Booker, Raphael G. Warnock, Alex Padilla.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Sarala Vidya Nagala, of Connecticut, to be United States District Judge for the District of Connecticut, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The yeas and nays resulted—yeas 52, nays 46, as follows:

[Rollcall Vote No. 431 Ex.]

YEAS—52

Baldwin	Coons	Kaine
Bennet	Cortez Masto	Kelly
Blumenthal	Duckworth	King
Booker	Durbin	Klobuchar
Brown	Gillibrand	Leahy
Cantwell	Graham	Lujan
Cardin	Hassan	Manchin
Carper	Heinrich	Markey
Casey	Hickenlooper	Menendez
Collins	Hirono	Merkley

Murkowski	Sanders	Van Hollen
Murphy	Schatz	Warner
Murray	Schumer	Warnock
Ossoff	Shaheen	Warren
Padilla	Sinema	Whitehouse
Peters	Smith	Wyden
Reed	Stabenow	
Rosen	Tester	

NAYS—46

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rubio
Boozman	Hoeven	Sasse
Braun	Hyde-Smith	Scott (FL)
Burr	Inhofe	Scott (SC)
Capito	Johnson	Shelby
Cassidy	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Toomey
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Paul	
Fischer	Portman	

NOT VOTING—2

Feinstein	Rounds
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The PRESIDING OFFICER. The yeas are 52, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Sarala Vidya Nagala, of Connecticut, to be United States District Judge for the District of Connecticut.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar No. 429, Jeffry Lane Flake, of Arizona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Turkey; Calendar No. 430, Tom Udall, of New Mexico, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Independent State of Samoa; and Calendar No. 459, Victoria Reggie Kennedy, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Austria; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The legislative clerk read the nominations of Jeffry Lane Flake, of Ari-

zona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Turkey; Tom Udall, of New Mexico, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Independent State of Samoa; and Victoria Reggie Kennedy, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Austria.

Thereupon, the Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Flake, Udall, and Kennedy nominations en bloc?

The nominations were confirmed en bloc.

Mr. SCHUMER. I yield to the Senator from Arizona for an additional nomination.

The PRESIDING OFFICER. The Senator from Arizona.

EXECUTIVE CALENDAR

Mr. KELLY. Madam President, as you know, in Arizona, we have always admired Cindy McCain's dedication to service and to our country. I know she believes deeply in the power of America to promote peace, security, and health around the world, which will serve her and our country well in her next position.

I ask unanimous consent that the Senate consider Calendar No. 457 and that the Senate vote on the nomination without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Cindy Hensley McCain, of Arizona, for the rank of Ambassador during her tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the McCain nomination?

The nomination was confirmed.

Mr. KELLY. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, all without intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Madam President, for the information of the Senate, at

5:30 p.m., the Senate will vote today on the confirmation of the Cobb, Williams, and Giles nominations, in that order.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

NOMINATIONS

Mr. COONS. Madam President, I also want to extend my congratulations to four individuals, four friends, both former colleagues and folks I have known for a long time, who have just been confirmed by the Senate of the United States. Their confirmations will be conveyed to the President, and they will begin their service.

I wanted to briefly thank the Members of this Senate for acting quickly and appropriately to confirm the nominations of Senator Flake to represent us in Turkey, of Senator Udall to represent us in New Zealand, of Vicky Kennedy to represent us as Ambassador to Austria, and of Mrs. Cindy McCain to represent us at the U.N. agencies in Rome. All four of these incredibly talented individuals are deserving of confirmation, and I am encouraged by this progress.

I remain gravely concerned, however, at just how many nominees await action here. There are dozens of countries where there is no confirmed American Ambassador, and I hope that this moment of progress will be a predictor of other progress to come soon in terms of other confirmations.

(The remarks of Mr. COONS pertaining to the introduction of S. 3075 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. COONS. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MURPHY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 2841

Mr. LEE. Mr. President, I will be delivering remarks in a moment regarding the unanimous consent request that I am about to make. In deference and as a courtesy to my colleague from Washington, I will make the request first rather than speaking first.

Mr. President, I ask unanimous consent, as if in legislative session, that the Committee on Health, Education, Labor and Pensions be discharged from further consideration of S. 2841 and the Senate proceed to its immediate consideration. Further, I ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, reserving the right to object, I do have

good news for my colleague and everyone looking for information about the safety of vaccines: The CDC already collects and publicly releases data like what this bill proposes. So anyone who is curious about whether they should get a COVID-19 vaccination can go to the CDC website right now at cdc.gov.

And some more good news: The data overwhelmingly shows these vaccines meet FDA's rigorous standards of safety and effectiveness.

So now that that has been cleared up, I hope instead of wasting any more time on bills like this—bills which threaten to undermine public confidence in vaccines and trust in our public health experts by ignoring the thorough work they already do to provide clear, scientific data—we can instead focus on what we can all do to finally end this pandemic, which has now killed over 730,000 people and counting, and rebuild our country stronger and fairer.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, in recent years, particularly those on the other side of the aisle have called for, declared, and demanded that we rebuild what they call trust in government. While I believe that Americans must have a healthy distrust of the idea of government and any expansion of the necessarily limited powers of the Federal Government, that does not exempt government from the obligation of being trustworthy. That is why I find the position that so many of my colleagues across the aisle are taking to be so confusing: trust, but verify; trust your neighbor, count the cards.

People need information with which to analyze the faithfulness of government and to accept the facts as they deem appropriate. Now they claim that Americans must be forced, coerced, prodded, cajoled, threatened into making the government-approved medical decision. But heaven forbid if someone resists, objects due to moral or religious beliefs, or opts out of being vaccinated due to specific unique health concerns, she is derided and ignored, and—if the current Presidential administration has its way—forced out of her job.

All of this is supposed to build a safer and more trusting society?

This argument is totalitarian, and it is wrong. The United States is an open society, and the only way by which government can build trust with the American people is to earn it. The government will earn that trust only through transparency.

I have come to the Senate floor now nine times to oppose President Biden's immoral, unwise, and damaging vaccine mandate. I am committed to keep this going for as long as it takes to beat the mandate. I have introduced, now, a dozen bills to counteract, restrict, or limit the mandate. I do all this because I have heard from over 300

Utahans from one end of the State to the other, who are at risk of losing their livelihoods due to this aggressive government overreach.

Overreach of the government is staggering in here. It is an overreach the likes of which we haven't seen in this country in a long time; the likes of which we arguably haven't seen since April 8, 1952, when President Harry Truman seized every steel mill in America in order to support the Korean war effort. Fortunately, within a couple of months, the Supreme Court of the United States acted and invalidated that maneuver as unlawful, unconstitutional, which, of course, it was.

In this instance, that hasn't happened because, with respect to the OSHA mandate, the employer mandate—one saying all employers with more than 99 employees have to comply, have to fire people who aren't vaccinated—there is nothing there because the authority doesn't exist. But, in the meantime, corporate America is picking up the slack and doing the President's dirty work for him.

But it is a government overreach, and it is an overreach that is harming good people, people who are not enemies of the United States. No, they are not enemies to anyone. They are our neighbors, our fellow citizens, and our friends. Their stories are as tragic as they are moving, yet this administration seems bent on assuming that they have no voice, on giving them no voice.

Don't get me wrong, I am not against the mandate—I am against the mandate. I am not against the vaccine, not in any way. I am fully vaccinated. My entire family has been vaccinated. I have encouraged people to get vaccinated for the specific reason that I see the vaccines as miracles and miracles that are protecting many, many millions of Americans from the harms of COVID-19.

But if government is trying to encourage Americans to get vaccinated, hiding information about their concerns with the vaccine is the worst possible way to build trust. It has the exact opposite of what they claim they are trying to do. Existing concerns, make no mistake, are not just going to evaporate if they are ignored.

And the government's lack of transparency should be just as concerning to Americans who aren't worried about the vaccine as it is to those who are. Government should never be in the business of hiding information about the adverse effects and risks involved, no matter how infrequent or uncommon they might be.

And the government has—let's face it—been less than forthright with information about vaccine complications. Adverse reactions to the vaccine have been documented since the COVID-19 shot became available. The administration's message has been: Get the vaccine; it is safe, period.

If individuals pose questions about possible risks, about its interactions

with other medical treatments, or about rare reactions seen directly after its administration, they are often pushed aside, denied proper care, or deemed crazy conspiracy theorists for trying to scare the public away from the vaccine.

Sadly, this breeds distrust and it threatens the ability of those who experience rare vaccine injuries, the ability to access the proper treatment, care, and respect they deserve.

We should all be able to agree this type of governmental deception has no place in the United States. That is why today I came to the floor to offer the Transparency in COVID-19 Vaccination Act.

This bill would require the Secretary of Health and Human Services to publicly disclose all information regarding adverse effects of the COVID-19 vaccines. This sunshine would help clear the air and allow individuals and the medical community the opportunity to make informed decisions.

This clarity would also be an important step toward building trust with the American public. Americans have the best, most accurate information when they make medical decisions—at least they try to. They deserve to have the best and most accurate information when they make medical decisions. This bill would ensure that happens. That is why I came to the floor to offer it today, offer that we pass it and offer the protections.

My friend and distinguished colleague, the Senator from Washington, regrettably objected to it. In doing so, she argued that it is not necessary because, according to the Senator from Washington, all the information that they need is now available. In many instances, it is not. This bill would require that be made available—all of it.

The CDC does collect information on it, but the American people don't have full access to that information, and they should.

That begs the question: Why? Why would anyone want to do that?

I don't know why. To me, it doesn't make sense, especially if one wants to increase the number of people getting the vaccine as I do.

I would like to see more people getting vaccinated because I think the vaccine is something of a medical miracle and it is protecting many, many millions of Americans from the harmful effects of COVID-19. That is a good thing.

We want them to be protected. To be protected, we want them to get vaccinated. It doesn't mean government should force it on them, and it certainly doesn't mean that government should be perceived in any way as being less than forthcoming with information that it gains access to.

That is all this bill would require. It is not hard. There is nothing wrong with doing that. In fact, my colleague from Washington insists that it is already done.

If that is the case, what is wrong with putting that into law?

There isn't anything. We should do it.

I will be back on this and other topics related to the COVID-19 vaccine mandates.

All this is unfortunate. No one is happy about the fact that COVID-19 has touched our country in the way that it has. It has been painful. It is devastating. The 730,000 Americans who have died with COVID are tragedies, each and every one of them.

There is nothing about government overreach that will bring them back. There is certainly not anything about government overreach that is going to have a proper influence than the American people. There is certainly not anything about government hiding the ball when it comes to data that the American people deserve and want to have access to that is going to make people better.

We want more people to get vaccinated. Because of that, we want them to have the facts. We should do that.

The PRESIDING OFFICER. The Senator from Texas.

ENERGY POLICIES

Mr. CORNYN. Mr. President, after failing to pass any radical climate proposals this year, it appears our colleagues across the aisle are in a panic mode. The reason is, later this week, President Biden will be traveling to Glasgow, along with a dozen or more U.S. officials and Members of Congress, for a U.N. climate summit, and it looks like they are going to show up empty-handed.

The President has talked a big game when it comes to climate change. On the campaign trail, he promised that the electric sector would be carbon pollution-free by 2035. He committed to building 1.5 million energy-efficient homes and public housing units, and he said the United States would transition from oil and gas.

Of course, he will be long gone from office, so he will never be held accountable for these projections, even if they miss by a mile, which I predict they will. But the fact is he has failed to make good on his promises to fundamentally transform the energy landscape in America, and I would suggest that that is for a very good reason.

Policies that drive up costs for the American people, hurt our energy security, and enrich our adversaries don't typically get a lot of traction here in the U.S. Congress.

Two-and-a-half years ago, we saw a great example of how unpopular these policies were when the pie-in-the-sky Green New Deal came to the Senate floor for a vote. Not a single Senator voted for that bill. Even the Members who introduced it were too afraid to vote yes because of the blowback.

But now that our Democratic colleagues control all levers of the Federal Government, afraid of their radical base, their calculus seems to have changed, so they are trying to jam these radical policies into the multi-trillion-dollar tax-and-spending spree bill, otherwise known as reconciliation.

Despite working on this bill for months and only needing Democrat support to get it to the President's desk, our Democratic colleagues are still struggling to reach an agreement among themselves. But now that President Biden has a deadline and he wants to look good in front of other world leaders in Glasgow, it is, apparently, crunch time.

But they have a problem: no bill has even been written or even seen the light of day. There is a steady stream of reporting about which outrageous policies are in and which are out, but none of us have seen a bill—we haven't seen it in writing—if it exists at all.

Based on reporting, though, massive tax hikes on the energy sector appear to be in the mix. Energy companies would pay higher taxes on income earned in the global marketplace and be subjected to the double taxation of their foreign incomes. And we know that when producers have higher overhead because of the higher tax burden, they don't absorb that; they pass it along to consumers in terms of higher prices.

Our Democratic colleagues want to also add a Superfund excise tax, which would force energy companies to pay more on every barrel of crude oil that is sold. Tax hikes on oil and gas companies won't increase the output of renewables, and renewables only accounted for 20 percent of the electricity generation last year while natural gas accounted for double that.

That is why, in my State, we believe in the all-of-the-above approach—all forms of energy—knowing that the Sun doesn't always shine and the wind doesn't always blow. We found out last year, because of extremely cold weather, we couldn't even put natural gas in the pipeline because we didn't have the electricity to run the compressors, and so it was—no pun intended—a perfect storm.

What we learned from that experience—and I think what we should all learn—is that renewables have their place. They are important, and their role is growing, but you have to have a reliable base load of energy, which renewables cannot supply. The only outcome of these tax hikes will be to drive up costs for working families and send more business to foreign energy producers.

I remember recently that President Biden, in looking at the high price of gasoline—which has gone up dramatically—looked to OPEC—the Organization of the Petroleum Exporting Countries—led by Saudi Arabia and Russia, and asked them to produce more oil.

Well, how about American energy producers and the jobs that go along with that and the pipelines that move that oil and gas safely around the country?

He is OK with Nord Stream 2, which is a Russian gas pipeline over in Europe; but when it comes to the Keystone XL Pipeline here in America, “shut her down” is his attitude.

Massive tax increases aren't the only provisions that seem to have survived negotiations, the best we can tell from the reporting. Handouts to wealthy Americans to buy electric vehicles appears to be safe. Talk about socialism for rich people. These aren't cars that average working families can afford to buy. They are, roughly, double or more expensive than regular cars operating on an internal combustion engine. Nevertheless, this bill, apparently, will provide for \$12,500 in tax credits for electric vehicle purchases—again, for some of the most expensive cars in the marketplace.

So, for those people working for a living, who cannot afford to buy these expensive electric vehicles even with this very generous tax credit, they are going to be asked to subsidize the purchase of these vehicles by wealthy Americans who don't need the tax credit or the subsidy coming from hard-working American families.

This subsidy isn't only set up to reward buyers purchasing American-made vehicles; you can still receive a taxpayer handout even if the vehicle is completely or substantially made overseas, in countries like China.

On top of that, a bigger tax credit is available to electric cars built in union shops. Well, maybe union-built vehicles are somehow more green than other electric vehicles. I doubt that. Or maybe it is a favor doled out to a favored interest group by our friends across the aisle. That seems like the more likely conclusion.

While electric vehicles don't use gasoline, they still require a lot of energy to run. Our colleagues don't, apparently, know where electricity needed to run these vehicles comes from. Well, I will tell them. It comes from coal; it comes from natural gas; it comes from renewables; it comes from hydropower and nuclear power or some mixture of all of those. Yet these are the very energy sources they say they are seeking to avoid by incentivizing more use of electric vehicles.

Well, if Democrats raise taxes on companies that produce natural gas, which accounts for 40 percent of our electricity production, what is the plan to power the fleet of taxpayer-subsidized electric vehicles?

Renewables don't generate enough energy to power our country today, let alone the amount we need to charge millions of new electric vehicles. Still, the Democrats are eager to push America toward renewables and punish those who don't jump on board.

One of the most controversial parts of the Democrats' energy push appears to be in peril, if you can believe the reporting. Again, none of us have seen this. We just know what we read. That program is known as the Clean Electricity Performance Program, or the CEPP. This program would reward utility companies that already use renewable electricity sources and punish those that do not.

So, if you are wondering how that switch would go, just look at some of

the energy policies out West, in California. That State made an aggressive push to transition to push 100-percent renewables by 2030, but as I said, renewable energy is not always reliable energy, and it certainly isn't affordable energy. In recent years, California has implemented rolling blackouts to ration limited energy supplies during the hot summer months; and, on average, Californians pay twice as much as Texans for electricity. That is where those higher prices go—they get passed on to the consumer. Twice as much is the cost of electricity in California as compared to Texas.

So imagine what would happen if every utility company across the country were forced to use only renewable sources.

Last month, the Federal Energy Regulatory Commission's Commissioner testified before the Senate, and he said this proposal would be an "H bomb" for electricity markets. It would blow it up.

Our colleague, Senator MANCHIN, from West Virginia, has said he won't support this proposal; and good for him, but other Democrats have not given up yet.

President Biden recently insisted "nothing has been formally agreed to."

Again, this whole process is opaque to Republicans because we haven't been invited to the table or welcomed to the table to try to come up with a bipartisan policy. Our Democratic colleagues have insisted they want to do this all on their own because they know only then will they be able to come up, presumably, with something that will appease the most radical elements of their political base, and if they negotiated with the Republicans, they wouldn't be able to do that because we would have to negotiate toward the center rather than on the fringes of political ideology.

Despite the fact that these policies that I have mentioned would radically transform the energy landscape and drive up costs to consumers and hurt our energy security, our colleagues are rushing—rushing—to reach a deal before the President is wheels up to Europe. Forget sound public policy; President Biden wants a new talking point at the United Nations climate summit in Glasgow, Scotland.

This rush job comes at a time when energy prices are already skyrocketing. Talk about inflation. Gasoline is up more than 55 percent from a year ago. With winter fast approaching, heating bills, including heating oil that many Northern States use, are expected to rise as much as 54 percent from last year. This is really an invisible tax on people, where the value of your dollar that you earn is diminished by the increase in cost—54 percent over last year for heating bills in the northern part of our country. Well, it is all across the country, but it is, obviously, needed more there than in my part of the country.

Of course, these aren't the only higher prices that families are facing. Infla-

tion continues to pummel the American people, putting a tight squeeze on family budgets. For seniors, for veterans, and others who operate on fixed incomes, those price hikes are a threat to their livelihoods. There could not be a more dangerous or costly time to wage war on American energy. No family should have to choose between buying groceries and turning on the heat in the wintertime.

President Biden is eager to put a show on in Glasgow and impress world leaders with dubious commitments that he can't keep, but these measures have the potential to inflict real and lasting harm on the American people.

I am not opposed to renewable energy, electric vehicles, or efforts to preserve our greatest natural resources for future generations. I support efforts to capture carbon and sequester it. All of these policies need to strike a delicate balance based on prudence, based on science, and based on logic, not based on some ideology about the way that you wish the world was; it is how the world is.

Democrats want to force the American people to pay more for less reliable energy and endanger our own energy security to meet these arbitrary net zero deadlines. As I said, they are rushing to meet a deadline so that President Biden can have a good applause line in Glasgow.

This is just the latest example of how the reckless tax-and-spending spree is not helping the American people at all but, rather, it is about forcing Democrats' vision on every city, State, and family in the country.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. Mr. President, C.J. Brown was 7 years old. He was a second grader at Clarksdale Collegiate academy in Mississippi. Clarksdale, MS, is a relatively small town of 15,000 people. Everybody knows each other in Clarksdale. C.J. was described as a really bright young student. His principal and director at his school said that he was a great student. He was always cheerful and friendly to his classmates and teachers.

Clarksdale is reeling right now because just a few weeks ago, on October 12, little C.J. Brown was sitting in a car outside of a laundromat, and he was shot to death. The owner of a nearby corner store, the Tiger Mart, said that C.J. and his mom and his little sister used to come in all the time, friendly as can be, chatting up a storm. The owner of that little convenience store said that he considered C.J. and his mom and his little sister to be family.

You can say that C.J. was in the wrong place at the wrong time—a 7-year-old kid in a car outside of a laundromat shot to death—but he wasn't. He was in the right place at the right time. He was in what should have been a safe place his hometown, just sitting in a car.

That day, there were three shootings over 5 hours in this small town of Clarksdale. C.J. wasn't the only victim, but his death made news because he was 7 years old, and now he is gone.

The problem is, this story isn't the exception; it is the rule, increasingly so, across this country. For the last 8 years, I have come down to the floor with a chart that looks very much like this. In fact, I think this is the chart that I have displayed for about 5 years straight. I come down here every few weeks—sometimes, in busier times, every month or so—and I tell the story of men and women and children, often like C.J., to try to rattle the conscience of this body to do something about the epidemic of gun violence in this country.

These numbers in and of themselves are stunning. This is my old chart showing 36,000 people a year are killed by gunshot wounds—3,000 a month, 100 people day. There is no other nation in the high-income world that has anything approaching these numbers when it comes to gun violence. But these numbers are irrelevant now because what has happened over the last year and a half is a story unto itself.

Gun violence rates have spiked during the pandemic. In fact, the increase in 2020 was the biggest in 60 years from year to year. So I now have to bring a new chart to the floor. This one that I have used for 5 years now is irrelevant because no longer are 36,000 people dying a year from gunshot wounds. No longer are we losing 3,000 a month or 100 a day. We are now losing 40,000 a year, 3,300 a month, 110 people a day.

You can say: Well, that is a small increase. A hundred people used to die from gunshot wounds a day; now only 110 people a day.

That is 10 more families every single day, like the family of C.J. Brown, who have lost a loved one, often in the prime of their life, to a preventable crime that happens nowhere else at this frequency amongst our high-income peers.

What is interesting about 2020, though, is that overall crime rates didn't spike like gun homicides did. In fact, over all, major crimes in 2020 in this country went down, but gun homicides went up. There were 5,000 more gun homicides in 2020 than in 2019.

What is going on if major crimes are going down but gun homicides are going up? The story is likely complicated, but at the heart of it is this: More guns equals more crime. Forget the mythology that tells you that if you buy a gun, you are going to use that gun to protect yourself, that you are going to use it against an intruder or somebody who is trying to do harm to you. No. The data is the data. You can't get around it. It shows that for every community that has a 1-percent increase in gun ownership, what comes with it is a 1-percent increase in gun homicides. The more guns you have, the more likely that you are to have days like October 12, 2021, in Clarksdale, MS.

But there is more data to prove this point. What is interesting is that over the last 10 years, more and more homicides in this country are gun homicides. Ten years ago, about two-thirds of all homicides in this country involved a gun. But we have had more and more and more guns being purchased over the last 10 years. It used to be that maybe only 32 percent of households had a gun. Today, that number is 39 percent. So we have a lot more households with guns.

We had record numbers of guns bought in 2020. In March of 2020, for the first time, the background check system registered 1 million checks. Never before has this country had more guns bought and sold than in 2020. Not coincidentally, today, the number of homicides that involve a gun isn't two-thirds any longer; it is three-quarters. It went from 67 percent in a decade to 77 percent. More guns equals more homicides. More guns equals a greater number of violent crimes being perpetuated with guns. The data is the data. You can't get around it.

You think you are making yourself safer by bringing a gun into your house, but more often than not, that gun is going to be used to harm you or a loved one than it is against someone who is trying to do harm to you.

Many of these guns end up very quickly becoming illegal guns because they may at first be sold through a licensed gun dealer, but pretty soon, they get into the black market. Pretty soon, those guns get into the black internet market, the gun show market, where anybody can buy a gun regardless of their criminal record in many States without being caught, and those guns get trafficked to all sorts of people who should never own them.

The data is the data.

But here is what we also know about 2020: In States that have tougher gun laws, the rise in violent crime in 2020 was much lower than in States that don't have universal background checks. Now, we make the case here that gun laws matter, that if you take some commonsense steps to keep guns out of the hands of the wrong people—violent criminals, people with serious mental illness—you are going to have less gun crime. Well, that is what 2020 tells us. In States that have universal background checks, the violent crime rate just ticked up from 2019 to 2020—just ticked up—but in States without expanded background checks, the violent crime rate skyrocketed. There was a much bigger increase in States without universal background checks than in States with universal background checks. Common sense tells you why. Those States just do a little bit better job of making sure that only responsible gun owners can get their hands on a gun.

So we have these two stories from 2020 to tell. The first is a tragic one—a dramatic increase in the number of homicides; new highs in terms of the number of people who die at the hands

of a gun every single day. But this second story about how States that have gotten serious about commonsense measures supported by 90 percent of Americans to make sure that only law-abiding citizens have guns—they were able to control these increases much better than the States that didn't implement universal background checks and commonsense gun laws.

So I tell the story of C.J. today to try to shake this body into action and to try to make folks understand that we have all the data we need to have to tell us what works. None of it is that controversial. No matter what State you come from—blue or red, Republican, Democratic—your constituents support universal background checks. The data tells us that while 2020 was an awful year for gun crime, it was a lot more awful in the States that didn't invest in that policy. So why not just implement it on a national basis? It is politically popular and impactful when it comes to saving lives.

Lastly, even if you don't agree with me that we should make these commonsense changes to try to do something about this rising epidemic of gun violence in this country; even if you don't want to change the gun laws in this Nation, I have another offer for you.

I heard Senator CORNYN come down to the floor and talk about all the radical policies that are in the Build Back Better agenda. I have seen the polling on the Build Back Better agenda. None of it looks too radical because the American people seem to really love all the parts of the Build Back Better agenda, from the investments in green energy, to the help for families who are trying to afford childcare, to the improvements in the Medicare system. But here is another commonsense investment in the Build Back Better agenda: community gun violence initiatives. Inside the Build Back Better agenda is \$5 billion to invest in community programs that wrap services around at-risk youth to try to stop this cycle of violence that plays out.

Now, what is interesting in the 2020 data is that gun crime is becoming much more geographically spread out in this Nation. Ten, twenty, thirty years ago, there was a case to be made for the concentration of gun violence in a handful of cities. That is actually not the case any longer. Today, gun violence happens everywhere. It happens in small towns. It happens in small cities. It happens in the big cities. But it is still true that there are these very, very poor, very, very economically challenged neighborhoods in which there are higher rates of gun violence.

What we know is that these community violence programs work. In Connecticut, we had one—before it was defunded—in New Haven, Hartford, and Bridgeport. It identified youth at risk of falling into this cycle of violence. It supports them with programs that give them an alternative to that lifestyle. Between 2011 and 2016, combined gun

homicides in these three cities were cut in half.

A similar program in New York saw homicides in a South Bronx neighborhood where a program was being implemented decline by 37 percent compared to a very similarly matched neighborhood nearby that was used as a control site.

I can give you more and more evidence of how these investments in neighborhoods lift people up economically and help stop the cycle of violence.

So I can shower you with data to show you why commonsense changes in our gun laws would do something about this stunning increase in the rate of gun deaths in this country from 2019 to 2020, but we can also just come together around an investment in these communities and these kids and these families that doesn't necessarily have the same high degree of political temperature as the debate around guns does, and it still will have a significant impact.

So I will continue to come down to the floor and make this case. I will continue to come down to the floor and try to tell the story of these victims of gun violence—kids like CJ Brown.

I hope that this will be the last chart. I hope that the next chart, in fact, will show that these numbers are coming down. But I doubt that I will have that opportunity because until we get serious about making changes in our gun laws, to update them to match with the preferences of 90 percent of Americans, and until we get serious about investments in these neighborhoods—part of the Build Back Better agenda—I fear that these numbers will continue to rise higher and higher.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Kansas.

AFGHANISTAN

Mr. MORAN. Mr. President, I speak today to recognize the 3 million men and women, Americans, who have served our Nation in the two decades since September 11, 2001, in what has become known as the Global War on Terrorism.

The days during—in just the last month—during this botched and chaotic withdrawal from Afghanistan, were a terrible time of reckoning for our Nation. I am angry, discouraged, and concerned about the way and the manner by which the United States of America departed.

President Biden's announcement in April to completely withdraw American troops by September 11 without taking appropriate security precautions, including preparation for a return of the Taliban to Kabul, was irresponsible and will damage America's interest for years to come and endanger the lives of thousands of women and children in Afghanistan.

Additionally, the lack of urgency to do right by the thousands of Afghans who worked alongside Americans will forever be a source of shame for this

administration. But as I said many times before, the withdrawal from Afghanistan was not the fault of the men and women in uniform.

In the days following September 11, 2001, the call to service was answered by thousands—thousands—of Americans who sought to defend the United States. These men and women left behind their families and careers to serve a greater good. I cannot think of anything more honorable than stepping up to defend our homeland from a threat that was, at the time, relatively unknown.

For most of our men and women in uniform, the Global War on Terrorism has been the primary mission of their entire careers. I run into people regularly who tell me about their service, and they saw what happened on 9/11 in New York City at Ground Zero. They saw what happened in the fields of Pennsylvania and what happened at the Pentagon. They decided it was their moment to step forward and defend and protect their Nation, to make sure that freedom and liberty remained the hallmark of who we are. And all of the sacrifices they and their families have made were in support of that effort and it was an effort they believed in and I certainly hope they still do.

Those who stepped forward to serve, eradicated vast networks of terrorists who wished to do America harm, making it absolutely clear that no one can harm Americans without our swift and certain retribution. They also brought Osama bin Laden to justice, destroyed the ISIS caliphate, and eliminated its founder.

In Afghanistan, our men and women serving in the military brought hope to a brutalized, war-torn country for the first time in decades. Incredibly, an entire generation in Afghanistan came to age knowing what it feels like to see freedom and to feel freedom.

Tragically, we saw Afghanistan quickly fall to the Taliban. It happened because of a haphazard and unorganized withdrawal process that has made our country and our world a less secure place. We all saw the images of terror and desperation as Afghans tried to flee their fate, many at the cost of their lives. We saw the footage of the chaos, the tear gas, and the explosion. We lost 13 lives of our honorable brave men and women in uniform to an attack outside the airport gates as they tried to rescue innocent families from their Afghan brothers and sisters in arms.

These scenes captured our Nation's attention, rightfully so. But unfortunately, in the days that followed, mainstream media's interest in Afghanistan began to wane. Take a look to see what is happening in Afghanistan now. See the desolation, the death, the destruction, the hunger, and the fear. This failure to have attention on what is going on in Afghanistan must not and should not be the case. We must continue to honor those who served and who will serve our country in the future.

We should consider S. 535, the Global War on Terrorism Memorial Location Act. This bill was introduced by the Senator from Iowa, Senator JONI ERNST, herself a veteran. It will authorize the location of a memorial on the National Mall to truly honor those who served to eradicate terrorism. It will honor the 3 million men and women who served and especially the thousands of servicemembers who gave that ultimate sacrifice—their lives. This memorial will also honor, heal, empower, and unite soldiers, sailors, airmen, marines, and coasties who made those sacrifices.

I would guess many of us in the U.S. Senate have seen—we witnessed some of the healing that personally occurs in times that have met with the Honor—as I have met with the folks who have been here on the Honor Flights, those visitors who gather at our war memorials to remember, to be together, and, yes, to heal.

Last week, I was at a number of our memorials here in our Nation's Capital with a group of over about 160 Vietnam veterans from Kansas. I have been visiting with those veterans in almost all of the visits of Kansans who come here, and in those visits, I met the World War II veterans, the Korean war veterans, and the Vietnam war veterans who have a place of honor on the Mall where they can go to meet other veterans, to lay flowers, to pause and reflect, and remember the brothers and sisters that they have lost.

Just this weekend, back in Valley Center, KS, the Moving Wall—a tribute to those who lost their lives in Vietnam; the thousands, the 627 Kansans who lost their lives in Vietnam—was a place in which people gathered to do exactly that.

I hope someday I will be able to attend an Honor Flight to the Global War on Terrorism Memorial and meet with the generation of veterans who fought to bring peace to the Middle East and who fought to bring the United States into a safer and more secure place. It will be my honor and privilege to do so.

I am here on the Senate floor to pay tribute, to honor and respect, and to tell those who served in the Global War on Terrorism that we respect them; we thank them for their service; and we love them.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Wyoming.

UNANIMOUS CONSENT AGREEMENT

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, first, I commend my colleague from Kansas for his remarkable commitment to this Nation and to those who serve this Nation. And he is always there at the Honor Flights for World War II, the Honor Flights of those who served in Korea, of those who served in Vietnam, and those who served in the Global War

on Terror. His leadership is commendable, and people from both sides of the aisle look up to him and appreciate the work he does on his committees and his commitment to the veterans who serve this Nation.

So I thank the distinguished Senator from Kansas for his ongoing commitment, and it is with appreciation and admiration and respect I follow his speech to thank him for the commitment and the comments about what happened in Afghanistan because just this very weekend, on Saturday, the Governor of Wyoming and I stood with over 1,000 people in the cold in Wyoming as we honored the life of Rylee McCollum, who was one of those 13 who was killed in Kabul at the airport on that fateful day in Afghanistan, merely 2 months ago. And with us also was Rylee's wife GiGi and the baby that was born after Rylee had been killed—the baby who will never know her father, who will always know his story, and will always know that he was an American hero.

GOVERNMENT SPENDING

Mr. President, I come to the floor today to oppose what the Democrats are trying to do with their reckless tax-and-spending spree. Right now, prices are rising all across America. The price of gas has gone up by nearly \$1 since the day Joe Biden took the oath of office. One in five families has had to cut down on their spending, their other spending to pay for energy this year, and it is going to get worse this winter.

In total, the typical American family is paying about \$175 more every month, month after month, because of inflation. And the front page story of the New York Times today talked about the upcoming Thanksgiving as the most expensive Thanksgiving dinner of all, and they called it a wallop to the wallet. That is the front page of the New York Times.

I would say, when you see that kind of a story, you know that inflation is here, and it looks like it is here to stay. And it is connected directly to the policies of this President, this administration, and the Democrats in Congress who are trying to make it worse with this tax-and-spending spree. Democrats ought to be working with Republicans to reduce inflation and to cut the spending, but that is not what is happening. No, we see just the opposite.

The Democrats are completely focused on the most expensive spending bill in American history. Right now, the cost is at least \$3.5 trillion. With interest payments, the pricetag rises to \$4.2 trillion. The bill is 2,500 pages in length. You do the math. That is \$1,400,000,000 for each and every page. You divide the cost of the bill by the number of people in America, it is over \$10,000 for every man, woman, and child.

The amount that is being proposed to spend is larger than the entire economy of Japan, which is the third larg-

est economy in the world. And the bill is a towering list of radical liberal priorities: permanent welfare programs, free money for electric vehicle owners, earmarks for New York City and San Francisco, including NANCY PELOSI's special park for the privileged.

Now Democrats are playing a shell game, trying to hide from the American people how they are going to pay for this whole thing. Well, they continue to try to hide the ball. Is it more taxes? Is it more debt? Is it some of both? Let's be clear: No matter which one they decide to do, prices for the American consumer is going to continue to go up. No matter which one they choose, the American people are going to end up paying one way or the other.

So, last week, the President went to Pennsylvania and said he didn't want to talk about the cost of the bill. He said: We shouldn't talk about the numbers. We shouldn't even talk about the numbers.

Now, I can understand why President Biden doesn't want to talk about the numbers because the American people are getting sticker shock. But people all around this country, at the kitchen table, when they sit down and try to figure out how much money they have and what kind of bills are coming in and see the price of food going up and the price of fuel going up and the price of gasoline going up and the price of one thing after another and housing going up—people at the kitchen table are talking about the numbers.

President Biden would rather tell all of us that the bill costs zero dollars. His Press Secretary, his Chief of Staff, and NANCY PELOSI have all repeated the same big lie. They say the largest spending bill in history costs zero dollars. This isn't just false; it is absurd. If it costs zero dollars, why are they having such a hard time trying to get it passed? Answer that.

The American people aren't falling for this. The American people know. They know that when Democrats spend more, they pay more, one way or the other.

So why do Democrats keep repeating the big lie? Because they know that people don't want a big spending bill. They are against it.

Tax revenues are already at record highs in this country. Our problem isn't that we are taxed too little; it is that we spend too much. Yet Democrats' spending bill contains more than 40 new tax increases. If these taxes become law, everyone will have to pay one way or the other. They will pay more in taxes. They will suffer with lower wages, in terms of spending capacity, and pay higher prices.

According to the Joint Committee on Taxation, two-thirds of the taxes Democrats are proposing for businesses would be paid by the middle class. Now, that is not what the President wants you to believe—paid by the middle class, no question about it.

Democrats know the American people don't want higher taxes. A Gallup

poll showed recently fewer than one in five Americans wants more government if it is paid for by tax increases. The American people don't want more spending, which they know we can't, as a nation, afford with the kind of debt we have.

That is why Democrats, each and every one, seem to be trying to hide the cost of the bill through accounting gimmicks. The gimmicks are so blatant even their own Democrat experts are telling them to stop it.

President Obama's "auto czar," Steve Rattner, a major critic of these accounting tactics and tricks, he actually wrote an editorial in the New York Times about it. He said:

[W]ith worrisome inflation signs evident, we certainly don't need any more stimulus.

Democrats are trying to find new ways to take more money from the American people. They are proposing to supersize the IRS, and the IRS is already the least accountable and most powerful Agency in the entire government.

Right now, the annual IRS budget is about \$13 billion. Democrats want another \$80 billion to hire an army of IRS agents to rifle through the bank records of the American people. Even President Obama's IRS Commissioner is against a budget that big.

This proposal just shows how desperate Democrats are to get every last penny they can so they can spend it. For weeks, Democrats said they wanted to force banks to tell the IRS about any account with \$600 in deposits or withdrawals. Well, the American people found out, and they were outraged. I received more calls and more letters on this single topic than on any other topic during the entire years I have been in the U.S. Senate. But yet Democrats defended the plan for weeks, including Janet Yellen, the Treasury Secretary, on national television.

It has been fascinating to watch her argue back and forth with Larry Summers, a former economic adviser to both Bill Clinton, who was Secretary of the Treasury for him, as well as to Barack Obama.

Well, now Democrats finally realize how angry the American people are at this Big Brother proposal.

So what is their solution? More gimmicks, more sleight of hand. Now Janet Yellen says the policy will only apply to accounts with total transactions of more than \$10,000 over the course of a year.

Well, that new proposal and that gimmick would still affect nearly every American in this country who has a bank account. It is essentially the same proposal. The American people aren't buying it.

So the Democrats are now on the horns of a dilemma. Is it more taxes? Is it more debt? Is it both? All three options mean more inflation hitting families across America and hitting things like the front page of the New York Times, where they talk about it as a wallop to the wallet.

The last thing the American people need right now are higher taxes, more debt, and higher prices. Yet this is all that today's Democrat Party has to offer.

Thank you.

I yield the floor.

VOTE ON COBB NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Cobb nomination?

Mr. MURPHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Texas (Mr. CRUZ) would have voted "nay."

The result was announced—yeas 52, nays 45, as follows:

[Rollcall Vote No. 432 Ex.]

YEAS—52

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Hassan	Padilla	
Heinrich	Peters	

NAYS—45

Barrasso	Grassley	Portman
Blackburn	Hagerty	Risch
Blunt	Hawley	Romney
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young

NOT VOTING—3

Cruz	Feinstein	Rounds
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The nomination was confirmed.

VOTE ON WILLIAMS NOMINATION

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the question is, Will the Senate advise and consent to the Williams nomination?

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Arizona (Ms. SINEMA), are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Kansas (Mr. MARSHALL), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Texas (Mr. CRUZ) would have voted "nay" and the Senator from Kansas (Mr. MARSHALL) would have voted "nay."

The result was announced—yeas 56, nays 38, as follows:

[Rollcall Vote No. 433 Ex.]

YEAS—56

Baldwin	Hassan	Peters
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Rosen
Booker	Hirono	Sanders
Brown	Kaine	Schatz
Cantwell	Kelly	Schumer
Capito	Kennedy	Shaheen
Cardin	King	Smith
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Collins	Lujan	Tillis
Coons	Markey	Toomey
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Fischer	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Graham	Padilla	
Grassley		

NAYS—38

Barrasso	Hagerty	Risch
Blackburn	Hawley	Romney
Blunt	Hoeven	Rubio
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Scott (FL)
Burr	Johnson	Scott (SC)
Cassidy	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Paul	Young
Fischer	Portman	

NOT VOTING—6

Cruz	Manchin	Rounds
Feinstein	Marshall	Sinema

The nomination was confirmed.

VOTE ON GILES NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Giles nomination?

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Texas (Mr. CRUZ) would have voted "nay."

The result was announced—yeas 68, nays 27, as follows:

[Rollcall Vote No. 434 Ex.]

YEAS—68

Baldwin	Hassan	Peters
Bennet	Heinrich	Portman
Blumenthal	Hickenlooper	Reed
Blunt	Hirono	Romney
Booker	Hyde-Smith	Rosen
Brown	Kaine	Sanders
Burr	Kelly	Schatz
Cantwell	Kennedy	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Lee	Tester
Cassidy	Lujan	Tillis
Collins	Markey	Toomey
Coons	McConnell	Van Hollen
Cornyn	Menendez	Warner
Cortez Masto	Merkley	Warnock
Duckworth	Murkowski	Warren
Durbin	Murphy	Whitehouse
Fischer	Murray	Wicker
Gillibrand	Ossoff	Wyden
Graham	Padilla	Young
Grassley	Paul	

NAYS—27

Barrasso	Hagerty	Risch
Blackburn	Hawley	Rubio
Boozman	Hoeven	Sasse
Braun	Inhofe	Scott (FL)
Cotton	Johnson	Scott (SC)
Cramer	Lankford	Shelby
Crapo	Lummis	Sullivan
Daines	Marshall	Thune
Ernst	Moran	Tuberville

NOT VOTING—5

Cruz	Manchin	Sinema
Feinstein	Rounds	

The nomination was confirmed.

The PRESIDING OFFICER (Ms. HASSAN). The yeas are 68, the nays are 27.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's actions.

The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING PRIVATE FIRST CLASS BERTON J. MCQUEEN

Mr. MCCONNELL. Madam President, last week, more than 76 years after he was killed in the Second World War, Army Private First Class Berton J. McQueen was returned home to Jackson County, KY. His family reburied him with full military honors outside the Wind Cave Baptist Church in McKee, ending a seven-decade journey from Kentucky, to Italy, to France, and finally back home again. Today, I

recognize Private First Class McQueen as a Kentucky hero who fought and died defending our sacred freedoms and honor the steadfast family members and public servants who brought him home.

McQueen was only 20 years old when, as part of Operation Dragoon, he and his platoon landed in the Rhone Valley to liberate France from its German occupiers. Facing stiff resistance and heavy fire, his unit scattered across the countryside. By the time the smoke cleared and the enemy retreated, McQueen was lost.

Two years later, the American Graves Registration Command recovered a soldier's body from a farmyard in the area where McQueen had gone missing. Local authorities could not verify the soldier's identity, so he was reburied in an anonymous grave in Normandy. Back home in Jackson County, the McQueen family prayed their lost son would be found.

Last week, those prayers were finally answered. With the help of new DNA technology, the Defense POW/MIA Accounting Agency identified the body as Berton McQueen's. They sent him home to Jackson County, where he is now buried next to the church where he was baptized, nearly a century earlier. With bagpipes and bugles playing, an honor guard marching, and the extended McQueen family gathered together again, Private First Class Berton McQueen was finally given the hero's return he deserved.

Our Nation's military is diligent in finding and honoring its missing servicemembers. All over Kentucky and across the country, the POW/MIA Accounting Agency has reunited lost sons and daughters with their loved ones. This program offers important help to grieving families and honors our country's most sacred obligation to those who serve. The Agency's motto is "fulfilling our nation's promise," and, as the McQueen family's story demonstrates, they go to extraordinary lengths to carry out that creed.

The Lexington Herald-Leader published a comprehensive account of Private First Class Berton McQueen's life and journey in a recent article. I ask unanimous consent the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Lexington Herald-Leader, October 17, 2021]

'I'VE WAITED FOR THIS.' KENTUCKY WWII SOLDIER UNIDENTIFIED FOR DECADES COMES HOME

Nannie McQueen was desperate to find out what had happened to her son in World War II.

Army Pfc. Berton J. McQueen had been badly wounded by artillery fire while his unit was fighting German troops near a small town in France in November 1944.

He died at an aid station set up in a barn, and amid the chaos of war, someone buried him in a garden.

American troops didn't recover his body until after the war in Europe ended months later, and he couldn't be identified.

The Army notified McQueen's parents in Jackson County that he was listed as killed in action, but with few details and no one to bury, his mother couldn't accept it.

She wrote letters to soldiers who served with him to try to figure out what had happened to him and put advertisements in a farming magazine and other publications seeking information, said his niece, Genevieve Palm.

When her grandmother went to town, she left the door at her house unlocked so her son could get in if he came home, Palm said.

"She couldn't give up," Palm said of her grandmother.

"I can't imagine what kind of torture that would have been."

Now, Berton McQueen is home.

Based on historical research, dental records and analysis of DNA samples from Palm and other family members, officials with the Defense POW/MIA Accounting Agency identified the body recovered from the garden in France as McQueen, according to a news release.

McQueen was accounted for in July, more than 76 years after he was killed at age 20.

He was reburied Saturday with full military honors in Jackson County, in the hillside cemetery at the Wind Cave Baptist Church. McQueen attended the small wooden church as a boy and was baptized in a creek nearby.

A bugler played "Taps," and a bagpiper played "Amazing Grace" before members of the honor guard fired a 21-gun salute and folded the flag from his casket to give to his family.

McQueen was raised on a small farm in the Wind Cave community, the youngest of seven children of John and Nancy Jane "Nannie" McQueen, said Palm, whose mother was one of Berton McQueen's sisters.

Like thousands of others who grew up on Kentucky farms in those days, McQueen moved to Indiana to find work. He was living in Connersville when he was drafted, Palm said.

McQueen was wounded fighting in Italy in February 1944, spending 11 weeks in the hospital, and was wounded again in August 1944, spending several more weeks in the hospital.

His family hoped he would come home, but McQueen wanted to finish the job. He believed that if the U.S. and allies didn't carry the fight to the Nazis in Europe, the war would come to America, said Palm, who has letters he sent to his family.

"He felt a strong duty," Palm said. "He said, 'I will come home when the rest do.'"

McQueen landed in southern France in August 1944 as part of Operation Dragoon, pushing north through the Rhone Valley to meet up with forces that had gone ashore in the massive D-Day invasion and then turn to the final assault on Germany.

McQueen saw plenty of combat but didn't write about the horror of war in his letters home because he didn't want to worry his parents, Palm said.

Instead, he wrote about the people and the beauty he saw, Palm said, though he did mention in one letter in mid-1944 that U.S. troops were driving the Germans back.

"He said, 'We have'm on the run now,'" Palm said.

But his unit ran into stiff resistance in a battle in a hilly region near the border with Germany, according to the Army's account.

As German infantry pursued his unit, McQueen was going to get more ammunition for his machine-gun platoon when he was hit by shrapnel.

One soldier later told Army investigators he helped carry McQueen to an aid station, and that when he asked later how the badly wounded man was doing, he was told McQueen had died, Palm said.

McQueen's battalion, which suffered heavy casualties, was forced to pull back and was in "disarray" for a period before regrouping, according to an account from the Army, Palm said.

It's not clear why McQueen went missing or who buried him. After German troops withdrew a few days later, U.S. troops didn't find his body.

A woman who lived on the farm later disclosed that an American soldier had been buried there. The American Graves Registration Command recovered a body in April 1946 but couldn't identify the soldier.

He was reburied under the designation X-6093 at the Normandy American Cemetery in Colleville-sur-Mer, France, until science could solve the mystery.

Palm was born 10 years after her uncle died but lived close to her grandmother and heard stories about him.

"We really grew up with that grief for her, and that loss," said Palm, a retired property manager who lives in Laurel County.

McQueen's mother died in 1972. Years later, the local bank president called Palm's mother to report there was money in an account Nannie McQueen had kept.

She had been putting money away for her son to use when he came home, Palm said.

Palm read a letter at the church Saturday from an Army buddy of McQueen's that her grandmother had contacted just before Christmas in 1945.

Louie Hughes said in his letter back to McQueen's mother that McQueen often talked of his home and his family while he was overseas, and that the two of them talked about the Bible into the night at times.

McQueen had drawn a sketch of how to get to his house in Jackson County in Hughes' Bible so he could visit after the war.

The two later got assigned to different companies, and then Hughes was captured and spent 16 "horrible months" in a German prison camp, he said, so he hadn't heard that McQueen had been killed before McQueen's mother wrote him.

He told McQueen's parents to be brave because that's what their son would have wanted. The "brave deeds of such men as Berton" were the reason "that we enjoy peace today," Hughes wrote.

Palm wishes her mother had lived to know her brother had been identified, but she died in 2008. Palm, a Christian, believes her mother and grandmother were reunited with McQueen in heaven long ago.

Family members felt new grief when the Army notified them McQueen had been accounted for but were also thankful.

"I consider it a miracle," Palm said. "My whole lifetime I've waited for something like this."

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mrs. MURRAY. Madam President, I ask unanimous consent to print the following letter in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS,

Washington, DC, October 26, 2021.

To the Secretary of the Senate:

PN796, the nomination of Jose Javier Rodriguez, of Florida, to be Assistant Secretary for Employment and Training, Department of Labor, having been referred to the Committee on Health, Education, Labor,

and Pensions, the Committee, with a quorum present, has voted on the nomination as follows—

On the question of reporting the nomination without recommendation, 11 ayes to 11 noes.

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the RECORD pursuant to the resolution.

PATTY MURRAY,
Chair.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Madam President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. ROBERT MENENDEZ,
*Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21-61, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$985 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JEDIDIAH P. ROYAL,
Deputy Director.

Enclosures.

TRANSMITTAL NO. 21-61

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:

Major Defense Equipment* \$665 million.

Other \$320 million.

Total \$985 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Twelve (12) MH-60R Multi-Mission Helicopters.

Thirty (30) T-700-GE-401C Engines (24 installed, 6 spares).

Twelve (12) APS-153(V) Multi-Mode Radars (installed).

Twelve (12) AN/AAS-44C(V) Multi-Spectral Targeting Systems (installed).

Thirty-four (34) Embedded Global Positioning System/Precise Positioning Service (GPS/PPS)/Inertial Navigation Systems (EGI) with Selective Availability/Anti-Spoofing Module (SAASM) (24 installed, 10 spares).

Twenty (20) Link 16 Multifunctional Information Distribution Systems (MIDS)—Joint Tactical Radio System (JTRS) (12 installed, 8 spares).

Twelve (12) GAU-61 Digital Rocket Launchers (aircraft provisions only).

Twelve (12) Airborne Low Frequency Sonars (ALFS) (aircraft provisions only).

Eighteen (18) AN/AAR-47 Missile Warning Systems (12 installed, 6 spares).

Eighteen (18) AN/ALE-47 Chaff and Flare Dispenser, Electronic Countermeasures (12 installed, 6 spares).

Twelve (12) AN/ALQ-210 Electronic Support Measures (ESM) Systems (installed).

Twenty-four (24) M299 Missile Launchers.

Twelve (12) GAU-21 Crew Served Guns (aircraft provisions (installed, includes aircraft adapter, ammunition bin, and other accessories).

Twelve (12) M240D Crew Served Gun Cradles (installed).

Eighteen (18) AN/ARQ-59 Hawklink Radio Terminals (12 installed, 6 spares).

Non-MDE: Also included are AN/ARC-210 RT-2036 UHF/VHF radios with Communications Security (COMSEC); AN/APX-123 Identification Friend or Foe (IFF) transponders; KIV-78; KIV-6; KOV-21; KGV-135A; Advanced Data Transfer Systems (ADTS); Airborne Low Frequency Sonars (ALFS) Training Simulators/Operational Machine Interface Assistants (ATS OMIA); spare engine containers; trade studies with industry to determine the feasibility and cost of implementing provisions for additional passenger seating and modifications to achieve enhanced crew survivability; defense services; spare and repair parts; support and test equipment; communication equipment; ferry support; publications and technical documentation; personnel training and training equipment; United States (U.S.) Government and contractor engineering, technical, and logistics support services; obsolescence engineering, integration, and test activities required to ensure readiness for the production of the Australian MH-60R helicopters; and other related elements of programmatic, technical and logistics support.

(iv) Military Department: Navy (AT-P-SCO).

(v) Prior Related Cases, if any: AT-P-SCF, AT-P-GXO, AT-P-KOA, AT-P-KOB, AT-P-REZ.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: October 8, 2021.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia—MH-60R Multi-Mission Helicopters and Related Defense Services

The Government of Australia has requested to buy twelve (12) MH-60R Multi-Mission helicopters; thirty (30) T-700-GE-401C engines (24 installed, 6 spares); twelve (12) APS-153(V) Multi-Mode Radars (installed); twelve (12) AN/AAS-44C(V) Multi-Spectral Targeting Systems (installed); thirty-four (34) Embedded Global Positioning System/Precise Positioning Service (GPS/PPS)/Inertial Navigation Systems (EGI) with Selective Availability/Anti-Spoofing Module (SAASM) (24 installed, 10 spares); twenty (20) Link 16 Multifunctional Information Dis-

tribution Systems (MIDS)—Joint Tactical Radio System (JTRS) (12 installed, 8 spares); twelve (12) GAU-61 Digital Rocket Launchers (aircraft provisions only); twelve (12) Airborne Low Frequency Sonars (ALFS) (aircraft provisions only); eighteen (18) AN/AAR-47 Missile Warning Systems (12 installed, 6 spares); eighteen (18) AN/ALE-47 Chaff and Flare Dispenser, Electronic Countermeasures (12 installed, 6 spares); twelve (12) AN/ALQ-210 Electronic Support Measures (ESM) Systems (installed); twenty-four (24) M299 Missile Launchers; twelve (12) GAU-21 Crew Served Guns (aircraft provisions (installed, includes aircraft adapter, ammunition bin, and other accessories); twelve (12) M240D Crew Served Gun Cradles (installed); and eighteen (18) AN/ARQ-59 Hawklink Radio Terminals (12 installed, 6 spares). Also included are AN/ARC-210 RT-2036 UHF/VHF radios with Communications Security (COMSEC); AN/APX-123 Identification Friend or Foe (IFF) transponders; KIV-78; KIV-6; KOV-21; KGV-135A; Advanced Data Transfer Systems (ADTS); Airborne Low Frequency Sonars (ALFS) Training Simulators/Operational Machine Interface Assistants (ATS OMIA); spare engine containers; trade studies with industry to determine the feasibility and cost of implementing provisions for additional passenger seating and modifications to achieve enhanced crew survivability; defense services; spare and repair parts; support and test equipment; communication equipment; ferry support; publications and technical documentation; personnel training and training equipment; United States (U.S.) Government and contractor engineering, technical, and logistics support services; obsolescence engineering, integration, and test activities required to ensure readiness for the production of the Australian MH-60R helicopters; and other related elements of programmatic, technical and logistics support. The total estimated value is \$985 million.

This proposed sale will support the foreign policy and national security objectives of the United States. Australia is one of our most important allies in the Western Pacific. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the region. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

This proposed sale will improve Australia's capability to perform anti-surface and anti-submarine warfare missions along with the ability to perform secondary missions including vertical replenishment, search and rescue, and communications relay. Australia will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. Australia will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment will not alter the basic military balance in the region.

The principal U.S. contractor will be Lockheed Martin Rotary and Mission Systems, Owego, NY. There are no known offset agreements proposed in connection with this potential sale.

Implementation of the proposed sale will require U.S. Government and contractor personnel to visit Australia on a temporary basis in conjunction with program technical oversight and support requirements, including program and technical reviews.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 21-61

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The MH-60R Multi-Mission Helicopter is employed primarily for anti-submarine and anti-surface warfare missions. The MH-60R carries several sensors and data links to enhance its ability to work in a network-centric battle group and as an extension of its home ship/main operating base. The mission systems consist of the following sensors and subsystems: an acoustics system consisting of a dipping sonar, sonobuoys, and acoustics processor; MultiMode Radar (MMR) with integrated Identification Friend or Foe (IFF) interrogator; Radios with COMSEC; Electronic Support Measures (ESM); Integrated Self-Defense (ISD); and Multi-Spectral Targeting System (MTS).

a. GPS/PPS/SAASM—Global Positioning System provides a space-based Global Navigation Satellite System (GNSS) that has reliable location and time information in all weather and at all times and anywhere on or near the earth when and where there is an unobstructed line of sight to four or more OPS satellites. Selective Availability/Anti-Spoofing Module (SAASM) is used by military OPS receivers to allow decryption of precision OPS coordinates. In addition, the OPS Antenna System (GAS-I) provides protection from enemy manipulation of the OPS system.

b. The AN/APS-153 multi-mode radar with an integrated IFF and Inverse Synthetic Aperture (ISAR) provides target surveillance/detection capability.

c. The AN/ALQ-210 (ESM) system identifies the location of an emitter. The ability of the system to identify specific emitters depends on the data provided.

d. The AN/AAS-44C(V) Multi-spectral Targeting System (MTS) operates in day/night and adverse weather conditions. Imagery is provided by a Forward-Looking Infrared (FLIR) sensor, a color/monochrome day television (DTV) camera, and a Low-Light TV (LLTV).

e. Ultra High Frequency/Very High Frequency (UHF/VHF) Radios (ARC 210) contain embedded sensitive encryption algorithms and keying material.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense services listed in this transmittal have been authorized for release and export to the Government of Australia.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Madam President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress

has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations,
Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. OJ-21. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 17-10 of April 18, 2017.

Sincerely,

HEIDI H. GRANT,
Director.

Enclosures.

TRANSMITTAL NO. OJ-21

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Purchaser: Government of Iraq.

(ii) Sec. 36(b)(1). AECA Transmittal No.: 17-10.

Date: April 18, 2017.

Military Department: Army.

Funding Source: Foreign Military Financing Subsidized Loan Repayable with Iraqi National Funds.

(iii) Description: On April 18, 2017, Congress was notified by Congressional certification transmittal number 17-10, under Section 36(b)(1) of the Arms Export Control Act, of the possible sale to the Government of Iraq of equipment for two Regional Brigades and two support artillery battalions to the Government of Iraq's Ministry of Peshmerga Affairs (MOPA) consisting of four thousand four hundred (4,400) M16A4 Rifles; forty-six (46) M2 50 Caliber Machine Guns; one hundred eighty-six (186) M240B Machine Guns; thirty-six (36) M1151 High Mobility Multipurpose Wheeled Vehicles (HMMWVs); seventy-seven (77) M1151 up-armored HMMWVs; twelve (12) 3 kilowatt tactical quiet generator sets, body armor, helmets, and other Organization Clothing and Individual Equipment (OCIE); small arms and associated accessories including tripods, cleaning kits, magazines, and mounts; mortar systems and associated equipment; Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) detection and protective equipment; dismantled and mounted radio systems; commercial navigation equipment including compasses, binoculars and Geospatial Position Systems (GPS) limited to the Standard Positional System (SPS); M1142 HMMWVs; medical equipment; Mine Resistant Ambush Protected Vehicles (MRAPs); cargo and transportation equipment, including light tactical vehicles, medium tactical vehicles, water trucks, fuel

trucks and ambulances; thirty six (36) refurbished M119A2 105mm howitzers; RF-7800V Very High Frequency (VHF) dismantled radios; and spare parts, training and associated equipment related to the mentioned vehicles and artillery systems. The estimated cost was \$295.6 million. Major Defense Equipment (MDE) constituted \$40.6 million of this total.

This transmittal reports the inclusion of ammunition consisting of ten thousand (10,000) B542, 40mm Linked HEDP rounds (MDE); and various .50 Caliber, 5.56mm, 7.62mm, and 12 Gauge Shotgun ammunition (non-MDE). The total cost of the new MDE articles is \$703,000. The total notified cost of MDE will increase to \$41.3 million, and the total notified case value will increase to \$302.8 million.

(iv) Significance: The MOPA will utilize the requested ammunition with U.S.-provided weapons systems for training and defense purposes.

(v) Justification: This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a strategic partner. The procurement of the required ammunition will significantly improve Iraq's defense capabilities to meet current and future threats and deter regional aggression.

(vi) Sensitivity of Technology: The M430A1 High Explosive Dual Purpose (HEDP) Cartridge is fixed round of ammunition with internally embossed steel projectile body containing Composition A5 High Explosive and a copper, shaped-charge liner. An M549A1 Point Initiating, Base Detonating (PIBD) Fuse is threaded into body to form the complete projectile. The cartridge case is a hollow, bi-chambered aluminum cylinder with vents between chambers. The propellant chamber is sealed at rear with a base plug and a percussion primer is crimped into center of base plug. Upon impact with the target, detonation of the main charge provides both the armor piercing effect of the shaped charge and fragmentation of the steel body.

The highest level of classification of defense articles, components, and services included in this potential sale is UNCLASSIFIED.

(vii) Date Report Delivered to Congress: October 21, 2021.

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

Mr. BURR. Madam President, October is National Disability Employment Awareness Month. I would like to take a moment to honor IFB Solutions, headquartered in my hometown of Winston-Salem, NC. IFB Solutions has been operating in North Carolina for over 85 years and over that time has provided employment to thousands of blind and visually impaired individuals.

Over their many decades of operation, IFB has helped fill the needs of the Federal Government with high quality products, delivered on time, and at a fair market value.

As we celebrate National Disability Employment Awareness month, I applaud IFB Solutions for their commitment to offering employment opportunities for the blind and visually impaired. It is my hope that more employers will understand the value of having a diverse workforce and follow suit.

TRIBUTE TO DR. KRISTAPS KEGGI

Mr. BARRASSO. Madam President, I rise today to honor Dr. Kristaps Keggi. Dr. Keggi is the epitome of the American dream. He was born in Riga, Latvia, and survived World War II as a child. He escaped communism on a refugee ship to immigrate to the United States. When he landed on the docks of Manhattan, he would go on to finish high school and attend college and medical school. He graduated from Yale University in 1955 and from Yale University School of Medicine in 1959.

Eight years after he arrived in the U.S., he raised his right hand and volunteered to serve in the U.S. Army. He joined the U.S. Army Medical Service and Medical Corps. Dr. Keggi served as the orthopedic surgery chief in the Third Mobile Army Surgical Hospital—MASH—in Vietnam from September 1965 to June 1966. This was the first MASH unit stood up and the first to deploy to Vietnam. The 3rd MASH supported the 173rd Airborne Brigade, the 1st and 25th Infantry Divisions, and countless other units. He left the Army with the rank of captain. He is a life member of the Veterans of Foreign of Wars.

Dr. Keggi's service did not stop after Vietnam. His battlefield experience sharpened his skills. He would go on to train generations of orthopedic surgeons and win worldwide acclaim for orthopedic education and innovation. I credit much of my success as an orthopedic surgeon and in life to training under Dr. Keggi.

Dr. Keggi is the founder and the president of the Keggi Orthopedic Foundation and Orthopedic Exchange Program between the United States and the former Soviet Republics. This program has fostered hundreds of fellows in exchanges in Latvia and Russia. He even mentored the former President of Latvia who was a fellow orthopedic surgeon.

He holds memberships in many scholarly societies such as American Orthopedic Association, American Academy of Orthopedic Surgeons, American Association of Hip and Knee Surgeons, Society for Arthritic Joint Surgery, and Connecticut Academy of Arts and Sciences, just to highlight a few.

He has published over 135 scholarly articles on orthopedic medical treatments. He was the senior author of the seminal American Academy of Orthopedic Surgeons Instructional Course on "Early Care of Severe War Wounds" on how battlefield wounds should be treated. He pioneered and popularized the less invasive anterior surgical approach used for total hip replacement. Dr. Keggi has been recognized by Best Doctors in America starting in 1996. He was named in America's Top Surgeons in 2009 through 2017.

Dr. Keggi has volunteered for many charitable endeavors and has been recognized globally for his contributions to medical science and humanity. He was honored by his hometown of Waterbury, CT, and the Waterbury Vet-

erans Memorial Committee for his lifetime of service working with and treating patients with the wounds of war. In 2020, Dr. Keggi was inducted into the Connecticut Veterans Hall of Fame.

Dr. Keggi's service embodies everything our country stands for. Every opportunity he has been given in the U.S., he has given back in full. My wife Bobbi and I thank him today for his life of service to our military, our veterans, and our Nation.

ADDITIONAL STATEMENTS

COMMEMORATING THE GRAND OL' OPRY'S 5000TH SATURDAY NIGHT BROADCAST

• Mrs. BLACKBURN. Madam President, I think I speak for all Tennesseans when I confess that, during the COVID-19 pandemic lockdowns, I craved the comfort of familiarity. I laid newer books and albums aside in favor of well-worn classics so close to my heart that they, in and of themselves, were cherished memories. We lost so much during that lonely time, but through it all, at least one thing remained constant.

Every Saturday night, when I tuned my radio to 650 AM WSM, I heard the fiddles and steel guitars that have welcomed music lovers into the Grand Ol' Opry's circle of friends for the past 95 years.

On October 30, 2021, the Grand Ol' Opry will celebrate its historic 5000th Saturday night broadcast. As most country music lovers will tell you, Saturday at the Opry is more than just an "experience;" it is the foundation of the format's legacy and the endgame for those who come to Nashville, TN, seeking their place within the ranks of country music's legends. The Saturday broadcast has been on the airwaves longer than any other broadcast program of any medium anywhere in the world. It thrived through its expansion from radio to television and then to digital streaming platforms. It has survived the Great Depression, World War II, multiple global conflicts, civil unrest, devastating natural disasters, and, now, a once-in-a-lifetime global pandemic.

For 7 months during the spring, summer, and fall of 2020, while life outside the Grand Ol' Opry House ground to a halt, a dedicated skeleton crew of producers, stagehands, and performers came together to create a socially distanced broadcast that was just as welcoming and heartfelt as anything a live audience would expect to see. Today, thankfully, the fans are back in their seats, and those who don't make the pilgrimage to Music City tune in from home with a newfound appreciation for the gift of live music.

It is my privilege to memorialize the Opry's ongoing commitment to artistry and entertainment and to honor every single person who worked so hard, against such odds, to bring coun-

try music into our homes when we could not seek it out for ourselves. On behalf of the entire Tennessee congressional delegation, I thank you for helping us maintain our bond with the past, our hope for the future, and our belief in the power of music to comfort and inspire when all else seems lost.●

RECOGNIZING DAYSPRING

• Mr. BOOZMAN. Madam President, I rise today to offer my sincere congratulations to DaySpring on 50 years of sharing God's love through creativity and expression.

DaySpring, a Christian cards and e-cards, boxed cards, inspirational gifts, home decor, and art company, calls Siloam Springs, AR, home to its world headquarters. We are tremendously proud to host this faith-based industry in the Natural State and benefit from all the stirring and encouraging work it does.

The commitment and continued dedication DaySpring and its employees display in sharing their Christian faith through uplifting, inspirational, and prayerful formats is a testament to the role faith plays in their mission. In a time where deep divisions exist within our country, its hopeful messages are a powerful and effective reminder to choose kindness. The work it does brings Americans together and prompts us to recall that we are all created in God's image and loved by our Creator. I am so appreciative for its passion to spread God's love as well as the beauty and sincerity that characterizes the products it so thoughtfully creates to deliver that message.

We are very pleased to have witnessed what DaySpring has accomplished over the last five decades. Because of its hard, intentional work to reach people with God's word, I am certain more people are leading a life devoted to Christ. With a vision to "see every person experience and express the life-changing message of God's love," the company has charted a path that has kept it focused, relevant, and undeniably impactful.

As Colossians 3:23 says, "Whatever you do, work at it with all your heart, as working for the Lord." DaySpring's staff has certainly followed that admonition each and every day for 50 years. In the years ahead, I encourage them to continue inspiring us to look to our Heavenly Father, and to love and help one another along the way.

Americans, now more than ever, are in need of this hopeful and sincere message. I am confident the guidance and direction consistently provided by DaySpring will be instrumental as we continue teaching and sharing God's word in the years to come.●

TRIBUTE TO JON AND CAROL MIELKE

• Mr. CRAMER. Madam President, every October, the Congressional Coalition on Adoption Institute—CCAI—

sponsors its annual Angels in Adoption recognition gala. This event honors individuals across the Nation who are making a difference in the lives of young people in need of foster and forever homes.

As adoptive parents ourselves, the dedication and commitment to adoption and foster care by CCAI and every Angels in Adoption honoree this year are extremely near and dear to the hearts of my wife Kris and me.

I want to recognize the Angels in Adoption couple I nominated and who are being honored this year. I have known Jon and Carol Mielke of Bismarck, ND, for many years. Yet I am not sure our home community has any idea of all they have done to foster such vulnerable young children for nearly 20 years.

Jon and Carol became foster parents in early 2003, when their daughter was in college and their son a senior in high school. They made the decision to foster infants, they said, because they had “room in their home and room in their hearts.”

To date, they have taken into their home some 45 infants. Some were with them for only a couple of days. Others stayed nearly 3 years.

Always keeping in mind the main goal of foster care is family reunification, they have made an effort to remain in contact with the biological families of these children. Their first foster child was a newborn who had been abandoned at the bus station. They cared for her for 2-and-a-half months. This girl, who recently graduated from high school, is one of the children with whom Jon and Carol have stayed in touch. Another set of twins, now teenagers, visited them for a week earlier this year.

Jon was a longtime administrative manager for a State agency, and Carol's profession was accounting. He has since retired, and she later became a licensed practical nurse, keeping flexible work hours to be available for the children when they come into their home.

Because of Jon's background in legislation and lobbying, he has provided testimony on foster care issues before the legislature. This has helped bring positive statutory changes to some State laws.

Jon and Carol have been active in the regional foster care association, with Jon serving as president one year. They also mentor new foster parents and have appeared in media campaigns promoting foster care. In 2006, they were named North Dakota's Foster Parents of the Year.

The lifelong impact of the love and care they have given to each and every baby coming into their home will never be accurately measured. And, after nearly two decades, they continue to remain dedicated to foster care because of their unwavering belief they can make a difference in the life of a child.

I join all North Dakotans and the entire Congressional Coalition on Adoption Institute in congratulating and

honoring Jon and Carol Mielke. We thank you for your years of dedication and the work you continue to do fostering infants in your home. You are exceptionally deserving of recognition as Angels in Adoption.●

TRIBUTE TO JUSTIN MITCHELL

● Mr. PAUL. Madam President, we are all indebted to the special teachers we encountered during our formal education: those who made a subject come alive for us—perhaps for the very first time—and sparked a lifelong interest in a subject or in a field of study. Today, I want to recognize a Kentucky teacher who is doing just that: bringing history and civics education to life for students at Franklin-Simpson Middle School in Franklin, KY.

How many students are truly interested in history and civics in the seventh or eighth grade? But motivating his students to move beyond memorizing facts and dates is exactly what Justin Mitchell is known for. Ask his colleagues—or visit his social media sites—and you will find that he is wildly creative in his mission to make social studies education interesting, challenging, and relevant.

Justin Mitchell earned degrees in social studies and history at Western Kentucky University—in my hometown of Bowling Green—and is now a doctoral candidate there. He is a McConnell scholar who regularly participates in the McConnell Center's Civics Education Program, and he deploys his leadership skills outside of the classroom by mentoring students at his church.

While his fellow teachers, students, and their families have known for years that Justin is an exceptional teacher, this year, he was recognized by the Gilder Lehrman Institute of American History as Kentucky's History Teacher of the Year. I am pleased to congratulate Justin on this accomplishment, to thank him for the impact that he is making on his students, and to create this permanent tribute to him in the CONGRESSIONAL RECORD of the U.S. Senate.●

REMEMBERING WILLIAM “BUD” LACOUNTE

● Mr. TESTER. Madam President, I rise today to honor the life of William “Bud” LaCounte, a distinguished Montanan and decorated veteran of World War II.

While Bud is no longer with us, his legacy lives on. On behalf of myself, my fellow Montanans, and all Americans, I would like extend our deepest gratitude for his service to this Nation.

Bud's story is one of incredible courage and sacrifice, having survived both American Indian Boarding School and D-day. Born in Bainville, MT, where he now rests, he was a proud member of the Turtle Mountain Tribe of Chippewa Indians. At the age of just 6, he endured the unimaginable when was

taken away from his parents and sent to Fort Totten Indian School.

But his commitment to answering the call of duty never faded. And on the eve of the Second World War, Bud enlisted in the U.S. Army. Not long after he joined, Bud deployed to France and fought bravely in the battle of Omaha Beach in Normandy on June 6, 1944.

After the war, he returned to Montana and settled into his life in Billings as a loving husband, dedicated father and grandfather, rancher, dancer, and storyteller. While he has since passed, his memory and spirit lives on in each of us—in his stories, in his children and grandchildren, and in his enduring service and sacrifice to this Nation.

I now have the profound honor of presenting Bud's family with the French Legion of Honor Medal for his bravery in the line of duty. This medal serves as a small token of our country's appreciation for Bud's incredible service and outstanding character.

Let us pay a final salute to Bud, who represents the very best of this great country.●

MESSAGE FROM THE HOUSE

At 11:23 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2265. An act to amend the Investment Company Act of 1940 to postpone the date of payment or satisfaction upon redemption of certain securities in the case of the financial exploitation of specified adults, and for other purposes.

H.R. 2989. An act to amend securities and banking laws to make the information reported to financial regulatory agencies electronically searchable, to further enable the development of RegTech and Artificial Intelligence applications, to put the United States on a path towards building a comprehensive Standard Business Reporting program to ultimately harmonize and reduce the private sector's regulatory compliance burden, while enhancing transparency and accountability, and for other purposes.

H.R. 4111. An act to require the Secretary of the Treasury to direct the United States Executive Director at the International Monetary Fund to advocate that the Fund provide technical assistance to Fund members seeking to enhance their capacity to evaluate the legal and financial terms of sovereign debt contracts, and for other purposes.

H.R. 5142. An act to award posthumously a Congressional Gold Medal, in commemoration of the servicemembers who perished in Afghanistan on August 26, 2021, during the evacuation of citizens of the United States and Afghan allies at Hamid Karzai International Airport, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2265. An act to amend the Investment Company Act of 1940 to postpone the date of payment or satisfaction upon redemption of certain securities in the case of the financial

exploitation of specified adults, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2989. An act to amend securities and banking laws to make the information reported to financial regulatory agencies electronically searchable, to further enable the development of RegTech and Artificial Intelligence applications, to put the United States on a path towards building a comprehensive Standard Business Reporting program to ultimately harmonize and reduce the private sector's regulatory compliance burden, while enhancing transparency and accountability, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4111. An act to require the Secretary of the Treasury to direct the United States Executive Director at the International Monetary Fund to advocate that the Fund provide technical assistance to Fund members seeking to enhance their capacity to evaluate the legal and financial terms of sovereign debt contracts, and for other purposes; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3110. An act to amend the Fair Labor Standards Act of 1938 to expand access to breastfeeding accommodations in the workplace, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 2201. A bill to manage supply chain risk through counterintelligence training, and for other purposes (Rept. No. 117-43).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2293. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide certain employment rights to reservists of the Federal Emergency Management Agency, and for other purposes (Rept. No. 117-44).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mrs. MURRAY for the Committee on Health, Education, Labor, and Pensions.

*Larry D. Turner, of North Carolina, to be Inspector General, Department of Labor.

*Sandra D. Bruce, of Delaware, to be Inspector General, Department of Education.

*Deirdre Hamilton, of the District of Columbia, to be a Member of the National Mediation Board for a term expiring July 1, 2022.

*Deirdre Hamilton, of the District of Columbia, to be a Member of the National Mediation Board for a term expiring July 1, 2025.

*Michael D. Smith, of Virginia, to be Chief Executive Officer of the Corporation for National and Community Service.

*Gerald W. Fauth, of Virginia, to be a Member of the National Mediation Board for a term expiring July 1, 2023.

*Linda A. Puchala, of Maryland, to be a Member of the National Mediation Board for a term expiring July 1, 2024.

*Amy Loyd, of New Mexico, to be Assistant Secretary for Career, Technical, and Adult Education, Department of Education.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HAGERTY (for himself, Mr. RISCH, Mr. RUBIO, Mr. CRUZ, Mr. YOUNG, Mr. COTTON, Mrs. BLACKBURN, Mr. MARSHALL, Mr. TILLIS, Ms. LUMMIS, Mr. BARRASSO, Mr. SULLIVAN, Mr. CRAPO, Mr. SASSE, Mrs. HYDE-SMITH, Mr. BRAUN, Mr. TUBERVILLE, Mr. HAWLEY, Mr. SCOTT of Florida, Mr. WICKER, Ms. COLLINS, Mr. LEE, Mr. LANKFORD, Mr. INHOFE, Mr. CRAMER, Mr. BOOZMAN, Mr. PAUL, Mr. DAINES, Mrs. CAPITO, Mr. HOEVEN, Mr. JOHNSON, Ms. ERNST, Mr. TOOMEY, Mr. CASSIDY, Mrs. FISCHER, and Mr. GRASSLEY):

S. 3063. A bill to prohibit the use of funds for a United States Embassy, Consulate General, Legation, Consular Office, or any other diplomatic facility in Jerusalem other than the United States Embassy to the State of Israel, and for other purposes; to the Committee on Foreign Relations.

By Mr. BOOKER (for himself and Mr. BRAUN):

S. 3064. A bill to authorize a White House Conference on Food, Nutrition, Hunger, and Health, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. CORTEZ MASTO:

S. 3065. A bill to establish national data privacy standards in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. CORTEZ MASTO (for herself and Mr. KING):

S. 3066. A bill to require the Secretary of Energy to establish a battery material processing grant program and a battery manufacturing and recycling grant program, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CORTEZ MASTO:

S. 3067. A bill to amend titles 23 and 49, United States Code, to provide for new and emerging technologies in transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself and Mr. SULLIVAN):

S. 3068. A bill to support stability across the Taiwan Strait; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself, Mr. PORTMAN, Ms. STABENOW, and Mr. YOUNG):

S. 3069. A bill to reauthorize the Great Lakes Fish and Wildlife Restoration Act of 1990, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHATZ (for himself and Ms. DUCKWORTH):

S. 3070. A bill to improve the retirement security of American families by increasing Social Security benefits for current and future beneficiaries while making Social Security stronger for future generations; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself and Mr. VAN HOLLEN):

S. 3071. A bill to protect our Social Security system and improve benefits for current and future generations; to the Committee on Finance.

By Mr. MURPHY (for himself and Mr. CORNYN):

S. 3072. A bill to establish an Office of City and State Diplomacy within the State Department, and for other purposes; to the Committee on Foreign Relations.

By Mr. PADILLA:

S. 3073. A bill to prohibit discrimination in health care and require the provision of equitable health care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BRAUN (for himself and Mr. MARSHALL):

S. 3074. A bill to establish the Payroll Audit Independent Determination program in the Department of Labor; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS:

S. 3075. A bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2022, and for other purposes; to the Committee on Appropriations.

By Mr. BROWN (for himself, Mrs. GILLIBRAND, Mr. MERKLEY, and Mr. WARNOCK):

S. 3076. A bill to amend the Federal Reserve Act to prohibit officers of the Federal Reserve from trading certain securities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. CORTEZ MASTO:

S. 3077. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on the estate tax valuation of certain real property used in farming or other trades or businesses; to the Committee on Finance.

By Ms. STABENOW (for herself and Mr. GRASSLEY):

S. 3078. A bill to extend flexible use of John H. Chafee Foster Care Independence Program funding to address pandemic-related challenges for older foster youth; to the Committee on Finance.

By Mrs. BLACKBURN (for herself, Mr. INHOFE, Ms. LUMMIS, Mr. HAGERTY, Mr. BRAUN, Mr. JOHNSON, Mr. TUBERVILLE, and Mr. MARSHALL):

S. 3079. A bill to exempt essential workers from Federal COVID-19 vaccine mandates; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MARKEY (for himself, Mr. ROMNEY, Mr. MENENDEZ, and Mr. RISCH):

S. Res. 427. A resolution to commemorate the 30-year anniversary of the 1991 Paris Peace Agreements with Cambodia and to call upon all signatories to those Agreements to fulfill their commitments to secure a peaceful, prosperous, democratic, and sovereign Cambodia; to the Committee on Foreign Relations.

By Ms. SMITH (for herself, Ms. COLLINS, Mr. KING, Ms. HIRONO, Mr. DURBIN, Mr. BRAUN, Mr. BOOZMAN, and Mr. VAN HOLLEN):

S. Res. 428. A resolution recognizing October 2021 as “National Principals Month”; considered and agreed to.

ADDITIONAL COSPONSORS

S. 437

At the request of Mr. SULLIVAN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 437, a bill to amend title 38, United States Code, to concede exposure to airborne hazards and toxins from burn pits under certain circumstances, and for other purposes.

S. 586

At the request of Mrs. CAPITO, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Georgia (Mr. OSSOFF) were added as cosponsors of S. 586, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

S. 773

At the request of Mr. THUNE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 773, a bill to enable certain hospitals that were participating in or applied for the drug discount program under section 340B of the Public Health Service Act prior to the COVID-19 public health emergency to temporarily maintain eligibility for such program, and for other purposes.

S. 870

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 870, a bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program.

S. 967

At the request of Mr. BLUNT, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 967, a bill to provide for the automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes.

S. 1064

At the request of Mr. MENENDEZ, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1064, a bill to advance the strategic alignment of United States diplomatic tools toward the realization of free, fair, and transparent elections in Nicaragua and to reaffirm the commitment of the United States to protect the fundamental freedoms and human rights of the people of Nicaragua, and for other purposes.

S. 1068

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1068, a bill to direct the Occupational Safety and Health Administration to issue an occupational safety and health standard to protect workers from heat-related injuries and illnesses.

S. 1210

At the request of Mr. BLUMENTHAL, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1210, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 1219

At the request of Ms. WARREN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1219, a bill to establish the policy of the United States regarding the no-first-use of nuclear weapons.

S. 1315

At the request of Ms. CANTWELL, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1315, a bill to amend title XVIII of the Social Security Act to provide for coverage of certain lymphedema compression treatment items under the Medicare program.

S. 1404

At the request of Mr. MARKEY, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 1404, a bill to award a Congressional Gold Medal to the 23d Headquarters Special Troops and the 3133d Signal Service Company in recognition of their unique and distinguished service as a “Ghost Army” that conducted deception operations in Europe during World War II.

S. 1532

At the request of Mr. KAINE, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 1532, a bill to provide a work opportunity tax credit for military spouses and to provide for flexible spending arrangements for childcare services for uniformed services families.

S. 1548

At the request of Mr. LUJÁN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1548, a bill to amend the Public Health Service Act to improve the diversity of participants in research on Alzheimer’s disease, and for other purposes.

S. 1572

At the request of Ms. DUCKWORTH, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 1572, a bill to expand child care opportunities for members of the Armed Forces, and for other purposes.

S. 1588

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1588, a bill to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, or possession, of any live animal of any prohibited primate species.

S. 1609

At the request of Mr. MARKEY, the names of the Senator from Arizona (Mr. KELLY) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 1609, a bill to amend the Internal Revenue Code of 1986 to ensure that electrochromic glass qualifies as energy property for purposes of the energy credit.

S. 1780

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1780, a bill to remove college cost as a barrier to every student having access to a well-prepared and diverse educator workforce, and for other purposes.

S. 1813

At the request of Mr. COONS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1848

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1848, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 1856

At the request of Mr. SCHATZ, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1856, a bill to enhance the security operations of the Transportation Security Administration and stability of the transportation security workforce by applying the personnel system under title 5, United States Code, to employees of the Transportation Security Administration, and for other purposes.

S. 1873

At the request of Mr. CRAPO, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Michigan (Mr. PETERS) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 1873, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 1893

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1893, a bill to amend title XVIII of the Social Security Act to support rural residency training funding that is equitable for all States, and for other purposes.

S. 2024

At the request of Mr. THUNE, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 2024, a bill to require that internet platforms give users the option to engage with a platform without being manipulated by algorithms driven by user-specific data.

S. 2120

At the request of Mr. RUBIO, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 2120, a bill to establish the United States-Israel Artificial Intelligence Center to improve artificial intelligence research and development cooperation.

S. 2429

At the request of Mr. GRASSLEY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2429, a bill to amend chapter 38 of title 31, United States Code, relating to civil remedies, and for other purposes.

S. 2612

At the request of Mr. LUJÁN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2612, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 2629

At the request of Mr. SCHATZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2629, a bill to establish cybercrime reporting mechanisms, and for other purposes.

S. 2649

At the request of Mr. YOUNG, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 2649, a bill to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes.

S. 2708

At the request of Mr. LUJÁN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2708, a bill to provide for greater consultation between the Federal Government and the governing bodies and community users of land grant-mercedes in New Mexico, to provide for a process for recognition of the historic-traditional uses of land grant-mercedes, and for other purposes.

S. 2865

At the request of Mr. WYDEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2865, a bill to improve the unemployment insurance program.

S. 2922

At the request of Ms. DUCKWORTH, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2922, a bill to establish a commission to study the war in Afghanistan.

S. 2937

At the request of Mr. CARDIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2937, a bill to authorize humanitarian assistance and civil society support, promote democracy and human rights, and impose targeted sanctions with respect to human rights abuses in Burma, and for other purposes.

S. 2945

At the request of Ms. ERNST, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 2945, a bill to include sexual assault and aggravated sexual violence in the definition of aggravated felonies under the Immigration and Nationality Act in order to expedite the removal of aliens convicted of such crimes.

S. 2953

At the request of Mr. TUBERVILLE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2953, a bill to prohibit the Internal Revenue Service from requiring financial institutions to report on the financial transactions of their customers.

S. 3013

At the request of Ms. ERNST, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 3013, a bill to require the evaluation and standardization of suicide prevention efforts by the Department of Defense, and for other purposes.

S. 3056

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3056, a bill to prohibit the implementation of new requirements to report bank account deposits and withdrawals.

S.J. RES. 10

At the request of Mr. KAINE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S.J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

S. CON. RES. 11

At the request of Ms. SINEMA, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Con. Res. 11, a concurrent resolution providing for an annual joint hearing of the Committee on the Budget of the Senate and the Committee on the Budget of the House of Representatives to receive a presentation from the Comptroller General of the United States regarding the audited financial statement of the executive branch.

S. RES. 390

At the request of Mr. GRAHAM, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 390, a resolution expressing appreciation for the State of Qatar's efforts to assist the United States during Operation Allies Refuge.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COONS:

S. 3075. A bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2022, and for other purposes; to the Committee on Appropriations.

Mr. COONS. Mr. President, I come to the floor to speak to the fiscal year 2022 State-Foreign Operations appropriations bill.

Every year as December approaches, we finally roll up our sleeves and get serious about passing the critical appropriations bills that fund our government for the new fiscal year, and this year should be no different. We are, in fact, already a month into fiscal year 2022. Until we complete our work on the Appropriations Committee, Federal Agencies are compelled to run on autopilot—something they can manage for a few weeks, even a few months, but it creates immense problems for Agencies and has grave consequences for every State and county and municipality in this country if it goes on too long.

What I am talking about today is the grave risk that we will end up with a continuing resolution. Now, a continuing resolution doesn't sound that scary, but it is appropriations-speak for doing nothing, for a zombie government, for conducting business as if time has stopped and nothing has changed.

As the relatively new chairman of the Appropriations Subcommittee on State and Foreign Operations, I am acutely aware that running our government on autopilot undermines the ability of the United States to be a global leader, to defend and advance our national security and foreign interests, and to counter the influence and aggression of our competitors and adversaries.

If we were to continue month after month through this entire fiscal year with no appropriation, what are the things that have happened that we would fail to respond to?

Well, tragically, in Ethiopia and in Afghanistan, there are humanitarian crises unfolding before our eyes, where millions are at risk of starvation. In Haiti, due to the recent earthquake and political changes, armed gangs have taken over much of the capital, and tens of thousands are homeless. In Venezuela, the ongoing crisis with the Maduro regime continues to worsen, putting enormous pressure on its neighbors as millions of Venezuelans flee to other regions seeking refuge.

We are also continuing to work to vaccinate the world to stop further the spread of COVID-19 and prevent the development of even more deadly variants than the Delta variant.

Last year's State and Foreign Operations bill included a small fraction of what is now widely recognized as being essential to prepare for the next outbreak of a deadly virus, which could be

even more lethal than COVID-19 or Ebola and more transmissible.

A continuing resolution would deny the U.S. Government the resources included in this year's bill to lead the global pandemic response.

Now, Mr. President, I will not attempt to go through the entire roughly 320 pages of this year's nearly \$60 billion State and Foreign Operations appropriations bill, but I do want to talk about, at the top level, some of the most important provisions and some of the most significant ways in which it deals with ongoing challenges in our world.

Last year's bill included almost nothing to help nations deal with the worst impacts of climate change, impacts that are occurring with greater frequency and intensity than previously predicted. Rising temperatures, severe droughts, food shortages, flooding, fires, and other extreme weather events are more and more common here in our own country and around the world.

Last year's bill continued the counterproductive practice of failing to meet our assessed dues at the United Nations, adding another \$200 million in our arrears, arrears that today are nearly a billion dollars. If we continue this another year with a CR, who benefits the most from our delinquency, from our absence at the world stage and at all the different organizations and entities within the United Nations? China.

China has been methodically paying what it owes, expanding its influence, and has already surpassed us as the largest donor to several different U.N. agencies. If you think that doesn't matter, imagine a world in which China is the largest contributor, supporter, shareholder, influencer of United Nations organizations and has the largest number of employees and sets the rules and standards at the dozens of U.N. entities that are critical to global commerce, to global society, and to the rules-based international order.

Last year, our SFOPS bill shortchanged U.S. public diplomacy and broadcasting, and we saw an emboldened Russian Government expel Radio Free Europe and all of its staff.

Last year's bill did positive things. It rejected the Trump administration's proposed deep cuts to State Department operations and personnel, but it did little to fill the yawning gap caused by a hiring freeze and steady attrition due to a loss of morale.

Practically all of our Embassies, our consulates, and USAID missions are today operating at below—and in some cases far below—their authorized staffing, their critically needed capacity.

Over the last 4 years, I will say that our reputation as a stalwart defender of democratic values and of human rights, a reputation earned over decades, was tarnished. Reaffirming those values and rebuilding our reputation requires more than brave speeches and

good words. It requires investing in the staff, in the personnel, in the organizations and the programs that support human rights and that fight for democracy around the world.

I know Senators of both parties recognize the imperative of our maintaining our reputation as the world's leading democracy, of fully staffing our Embassies, of strengthening our alliances, of countering growing Russian and Chinese influence, and of maintaining our world leadership role in public health by responding to the COVID-19 pandemic.

But what also needs to be recognized is that none of this is possible if we simply continue funding these requirements at last year's level. The fiscal year 2022 State and Foreign Operations bill was posted on the Appropriations Committee website Monday, and I am introducing it as a bill in total today.

I urge our Republican colleagues to work with us to arrive at a top line for fiscal year 2022 appropriations, to complete work on this and the other appropriations bills, and to avoid a yearlong continuing resolution that is in no one's interest.

This year's State and Foreign Operations bill was drafted with input from leaders in both parties, which has been our longstanding practice. Senator GRAHAM of South Carolina, the former chairman and now ranking member, has been an invaluable partner. He and I have traveled to a number of countries together, and I value his ideas, his input, and his priorities and those of his staff.

Many of his ideas are reflected in the fiscal year 2022 bill, as are requests of many Senators of both parties. Every draft of this bill was shared and edited by both sides. Neither Senator GRAHAM nor I got everything we wanted, nor should we expect to. There are things that his side opposes; there are things that my side wanted that are not included because of his objections.

Contrary to what some have suggested, this was not a partisan process. Does this bill differ from what the Republicans would have drafted if they were in the majority? Of course. But it is, in fact, a compromise, the result of disciplined and thorough negotiation between both parties.

We did our best to incorporate the requests of other Senators, regardless of party. And if we had included every dollar that was asked of us, we would need a budget allocation five times the amount we were given to spend. That alone tells you a great deal about the strong bipartisan support for global leadership and engagement.

The budget allocation our subcommittee was given is, in fact, \$1.75 billion below President Biden's budget request, and that made us make even tougher budget choices than we initially imagined. The entire SFOPS budget amounts to only 1 percent of the Federal budget, contrary to the mythology many of us hear out on the stump, in townhalls, and in campaign events.

Folks come to us all the time who imagine that if we just eliminated foreign aid, we would cover the entire Federal debt. One percent—1 percent—of the Federal budget is dedicated to our State Department, our USAID professionals, our engagement in world organizations—all of the good that is done on behalf of the United States and that strengthens our role in strategic and, I would say, moral leadership in the world at a time when our allies are under unprecedented pressure.

The fiscal year 2022 State and Foreign Operations bill provides critically needed funds to rebuild the muscles of the State Department and USAID, to fill vacant personnel positions, to allow for diplomats and aid workers to serve as professional and dedicated representatives to the United States around the world.

I will remind you, many of them serve in dangerous and remote posts, from the Horn of Africa to South Asia and Central America. But unlike our men and women in uniform, they don't carry weapons to defend themselves. They, instead, carry the full faith and credit of the United States, our reputation and our support, and our thanks. And there are provisions we should be adding to future bills to ensure they have the full support they need and deserve to have successful careers representing us overseas.

As I mentioned earlier, the clarity with which we all see the urgency of combating climate change has become sharper and sharper as natural disaster after natural disaster imposes billions of dollars of costs on the American people. This bill provides nearly \$2 billion in proactive investments in key climate programs to support clean energy technologies and help other countries adapt to climate change. This should be a priority for the Senate and the United States.

There are parts of the world already experiencing temperatures that make life unbearable, where water scarcity is an existential threat, food insecurity is increasing, and there is a risk of widespread hunger.

In coming years, projections are the number of migrants driven from their home countries by climate change will increase dramatically to tens of millions of people moving across the face of the world, driven by climate change. It is not too late for us to act, but it nearly is. And this significant investment, meeting the President's budget request—in fact, in some areas exceeding it—is, I think, an important signal of our commitment to combat climate change.

This bill also provides a billion dollars to support global health security, an \$800 million increase in the current level, recognizing the global pandemic in which we are currently struggling to provide vaccines and public health support for the rest of the world.

It also provides support for a wide range of sustained and bipartisan long-term global health investments: combating malaria, polio, tuberculosis; for

nutrition, water, and sanitation programs; and maintaining strong support for the PEPFAR Program to combat HIV/AIDS, first initiated by President George Bush and sustained by his successor administrations.

This bill also maintains critical support for vital allies and partners, for the nations of Israel and Jordan and other allies throughout the world, and it pays our commitments to international organizations like NATO and the IAEA. It provides funds to continue our leadership role as the world's largest contributor to the U.N. World Food Programme, which won the Nobel Peace Prize last year for the critical, lifesaving difference they have made in feeding the world's most vulnerable people and in responding to the current global humanitarian crisis.

This bill includes a nearly \$150 million increase for vital programs in Central America to address poverty, violence, and other root causes of migration while also attempting to address the rampant corruption and impunity within the governments of the countries of Central America with which we look to partner.

There is also a critical new investment here I want to point out briefly. The U.S. International Development Finance Corporation, something a number of us have a hand in crafting, will have an increased budget by more than \$100 million to support private-sector investment in development overseas with standards that are higher, that are more transparent in terms of labor, environment, and fiscal soundness and transparency. I think this is critical for us to combat rising Chinese influence through the Belt and Road Initiative and for the United States to have a new tool to partner with our closest allies in development finance.

This also provides \$900 million to the Millennium Challenge Corporation, another initiative of the Bush administration sustained by its successors, that has demonstrated that long-term compacts with clear standards and clear metrics can contribute meaningfully to development in the Third World.

The bill supports programs to protect and promote internet freedom, religious freedom, and freedom of expression, all of which are critical ways that we don't just talk about but we show our values in the world.

And it increases funding for programs to support free and fair elections, human rights, and democratic institutions at a time when authoritarianism is gaining ground in nearly every region of the world. No country has the ability to match the United States when it comes to standing up to ruthless dictators, whether in Burma, in Russia, or in Iran, and people everywhere are counting on us to do so.

This bill also prioritizes funding for programs to combat transnational crime and corruption and to hold ac-

countable foreign officials who enrich themselves at the expense of their own people, and it provides funding to help countries—especially those hardest hit by the pandemic—to reform and strengthen struggling economies. And, for the first time, it highlights the need for greater engagement through diplomacies and specific programs in the Arctic region, which is rapidly becoming an area of focus and of strategic competition.

Whether it is investing in rebuilding the professional staff at the State Department and USAID or whether it is shoring up our alliances and our partnerships with key allies or reasserting U.S. diplomatic leadership in international organizations, it is the funding and the authorities in this bill that will enable us to remain and to strengthen our role as a global leader.

As President Biden leaves to go to the G20, to go to COP26, the global climate summit in Glasgow, we should be sending a strong signal of support. We should be taking up and passing this bill.

If we simply remain on autopilot, if we doom the Agencies I have spoken about in my brief remarks today to a zombie year on autopilot, we will weaken our standing in the world. We will take a critical tool out of the toolkit of our President, who I believe many of us supported because of his ability to represent us well on the world stage and in recognition of the many crises that confront our world today.

Appropriating funds for the Federal Government is among our most important responsibilities under article I of our Constitution. It is not something to be casual or blase or nonchalant about. It is something to take up, to seriously debate, and to act on.

With just 6 weeks before the continuing resolution runs out, it is time for us to act on the State and Foreign Operations bill and all the other fiscal 2022 appropriations bills so we can avoid a zombie government under a continuing resolution and demonstrate that the Senate of the United States can still legislate in the best interests of the American people.

Thank you.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 427—TO COMMEMORATE THE 30-YEAR ANNIVERSARY OF THE 1991 PARIS PEACE AGREEMENTS WITH CAMBODIA AND TO CALL UPON ALL SIGNATORIES TO THOSE AGREEMENTS TO FULFILL THEIR COMMITMENTS TO SECURE A PEACEFUL, PROSPEROUS, DEMOCRATIC, AND SOVEREIGN CAMBODIA

Mr. MARKEY (for himself, Mr. ROMNEY, Mr. MENENDEZ, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 427

Whereas the agreements signed at the Paris Conference on Cambodia on October 23, 1991 (commonly referred to as the "Paris Peace Agreements"), led to the end of a brutal 12-year civil war in Cambodia and paved the way to national reconciliation through the expulsion of foreign forces and the guarantee of the right to self-determination of the Cambodian people through free and fair elections;

Whereas the Paris Peace Agreements represented a landmark achievement for the Cambodian people, Cambodia, the international community, and the United States and are the foundation for the peace enjoyed by Cambodia today;

Whereas the United States was a party to the negotiation and conclusion of the Paris Peace Agreements, which also included leadership and participation of a broad international coalition composed of Australia, Brunei, Canada, China, France, India, Indonesia, Japan, Laos, Malaysia, the Philippines, Singapore, the former Union of Soviet Socialist Republics, the United Kingdom, Vietnam, the former Yugoslavia, and Cambodia;

Whereas the Paris Peace Agreements authorized the creation of the United Nations Transitional Authority in Cambodia (UNTAC), which was an unprecedented international effort to help administer Cambodia and guide the country as it emerged from years of civil war;

Whereas the United Nations Transitional Authority in Cambodia successfully prevented the resurgence of the genocidal Khmer Rouge, created the atmosphere for national reconciliation, was instrumental to the return of hundreds of thousands of Cambodian refugees to their homes, and laid the groundwork for a new Constitution and free and fair elections that featured broad participation;

Whereas, since the United Nations Security Council established the United Nations Transitional Authority in Cambodia through United Nations Security Council Resolution 745 in 1992, the United States and the international community have continued to support the peace, security, and prosperity of Cambodia, as demonstrated through the delivery by the United States of more than \$1,500,000,000 in development assistance and more than \$3,000,000,000 in total assistance to Cambodia, according to the Department of State;

Whereas the implementation of the Paris Peace Agreements established institutions critical to peace, development, and freedom in Cambodia, including the beginnings of a vibrant civil society and independent media;

Whereas the Paris Peace Agreements set forth a democratic process for the election of a constituent assembly that adopted the Constitution of the Kingdom of Cambodia, which obligates the Kingdom to "respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human rights, the covenants and conventions related to human rights, women's and children's rights";

Whereas the actions of Prime Minister Hun Sen and the ruling Cambodian People's Party since 1993 to consolidate power, which have infringed on the fundamental rights and freedoms of the Cambodian people and culminated in the banning of the Cambodia National Rescue Party (CNRP) in 2017, effectively turning Cambodia into a one-party state, violate the Constitution of the Kingdom of Cambodia and challenge the full implementation of the Paris Peace Agreements;

Whereas the reported use of Cambodia's Ream Naval Base on the Gulf of Thailand by

the People's Republic of China would be inconsistent with Cambodia's status of neutrality under the Paris Peace Agreements, which the Constitution of the Kingdom of Cambodia later defined, in part, as "not permit(ting) any foreign military base on its territory"; and

Whereas the politically motivated arrests of more than 150 people associated with the Cambodia National Rescue Party since June 2019 and irregular judicial prosecutions of detainees further undermine the intent of the Paris Peace Agreements to allow full political participation in free and fair elections: Now, therefore, be it

Resolved, That the Senate—

(1) remains committed to the Cambodian people and their aspirations for a more peaceful, prosperous, democratic, and sovereign country, as envisioned in the agreements signed at the Paris Conference on Cambodia on October 23, 1991 (commonly referred to as the "Paris Peace Agreements"), with the support of the international community;

(2) calls upon all signatories of the Paris Peace Agreements, including Cambodian stakeholders, to reaffirm their commitments under the Agreements, the fulfillment of which will advance the peace, prosperity, rights, and freedoms enjoyed by the Cambodian people 30 years after the signing of the Agreements; and

(3) emphasizes the need for the Government of Cambodia—

(A) to commit to free and fair multiparty elections in the upcoming communal elections in 2022 and national elections in 2023 as an expression of its commitment to the self-determination of the Cambodian people;

(B) to uphold its commitments to protecting human rights, democratic institutions, and free and fair elections;

(C) to dismiss all politically motivated charges, prosecutions, and sentences of the opposition, journalists, and civil society activists; and

(D) to refrain from actions that violate its status of neutrality.

SENATE RESOLUTION 428—RECOGNIZING OCTOBER 2021 AS "NATIONAL PRINCIPALS MONTH"

Ms. SMITH (for herself, Ms. COLLINS, Mr. KING, Ms. HIRONO, Mr. DURBIN, Mr. BRAUN, Mr. BOOZMAN, and Mr. VAN HOLLEN) submitted the following resolution; which was considered and agreed to:

S. RES. 428

Whereas the National Association of Secondary School Principals, the National Association of Elementary School Principals, and the American Federation of School Administrators have declared October 2021 to be "National Principals Month";

Whereas principals are educational visionaries, instructional and assessment leaders, disciplinarians, community builders, budget analysts, facilities managers, and administrators of legal and contractual obligations;

Whereas principals work collaboratively with teachers and parents to develop and implement clear missions, high curriculum standards, and performance goals;

Whereas principals create school environments that facilitate great teaching and learning and continuous school improvement;

Whereas principals demonstrate leadership and play important roles in meeting the needs of students, families, and communities while responding to the Coronavirus Disease 2019 (COVID-19) pandemic;

Whereas the vision, actions, and dedication of principals provide the mobilizing force behind any school improvement effort; and

Whereas the celebration of National Principals Month would honor elementary school, middle school, and high school principals and recognize the importance of principals in ensuring that every child has access to a high-quality education: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes October 2021 as "National Principals Month";

(2) honors the contributions of principals in elementary schools, middle schools, and high schools in the United States; and

(3) supports the goals and ideals of National Principals Month.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3877. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3878. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3879. Mr. PORTMAN (for himself, Mr. BROWN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3880. Mr. PORTMAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3881. Mr. PORTMAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3882. Mr. PORTMAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3883. Mr. DURBIN (for himself, Mr. LEAHY, Ms. BALDWIN, Mr. BOOKER, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3884. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3885. Mr. DURBIN (for himself, Mr. LEAHY, Ms. BALDWIN, Mr. BOOKER, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3886. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED

and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3887. Mr. DURBIN (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3888. Mr. DURBIN (for himself, Mr. LEAHY, and Mr. OSSOFF) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3889. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3890. Mr. RUBIO (for himself, Mr. WARNER, Mr. BENNET, Mr. BLUNT, Mr. BURR, Mr. CASEY, Ms. COLLINS, Mr. COTTON, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Mr. KING, Mr. RISCH, Mr. SASSE, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3891. Mr. CASEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3892. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3893. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3894. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3895. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3896. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3897. Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3898. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3899. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3900. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3901. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3902. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3903. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3904. Mr. WARNOCK (for himself, Mrs. BLACKBURN, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3905. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3906. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3907. Mr. WARNOCK (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3908. Mr. WARNOCK (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3909. Mr. WARNOCK (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3910. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3911. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3912. Mr. SCHUMER (for Ms. ERNST) proposed an amendment to the bill S. 1872, to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

SA 3913. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3877. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amend-

ment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. EXTENSION OF AUTHORITY OF AND HIRING AUTHORITY FOR THE GLOBAL ENGAGEMENT CENTER.

(a) EXTENSION.—Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended by striking “the date that is 8 years after the date of the enactment of this Act” and inserting “December 31, 2027”.

(b) HIRING AUTHORITY FOR GLOBAL ENGAGEMENT CENTER.—Notwithstanding any other provision of law, the Secretary of State, during the five-year period beginning on the date of the enactment of this Act and solely to carry out functions of the Global Engagement Center established by such section, may—

(1) appoint employees without regard to the provisions of title 5, United States Code, regarding appointments in the competitive service; and

(2) fix the basic compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of such title regarding classification and General Schedule pay rates.

SA 3878. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. EXTENSION OF AUTHORITY OF AND HIRING AUTHORITY FOR THE GLOBAL ENGAGEMENT CENTER.

(a) EXTENSION.—Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended by striking “the date that is 8 years after the date of the enactment of this Act” and inserting “December 31, 2027”.

(b) HIRING AUTHORITY FOR GLOBAL ENGAGEMENT CENTER.—Notwithstanding any other provision of law, the Secretary of State, during the five-year period beginning on the date of the enactment of this Act and solely to carry out functions of the Global Engagement Center established by such section, may—

(1) appoint employees without regard to the provisions of title 5, United States Code, regarding appointments in the competitive service; and

(2) fix the basic compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of such title regarding classification and General Schedule pay rates.

SA 3879. Mr. PORTMAN (for himself, Mr. BROWN, and Mr. COONS) submitted

an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle H—Otto Warmbier Countering North Korean Censorship and Surveillance Act of 2021

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “Otto Warmbier Countering North Korean Censorship and Surveillance Act of 2021”.

SEC. 1292. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) The information landscape in North Korea is the most repressive in the world, consistently ranking last or near-last in the annual World Press Freedom Index.

(2) Under the brutal rule of Kim Jong Un, the country's leader since 2012, the North Korean regime has tightened controls on access to information, as well as enacted harsh punishments for consumers of outside media, including sentencing to time in a concentration camp and a maximum penalty of death.

(3) Such repressive and unjust laws surrounding information in North Korea resulted in the death of 22-year-old United States citizen and university student Otto Warmbier, who had traveled to North Korea in December 2015 as part of a guided tour.

(4) Otto Warmbier was unjustly arrested, sentenced to 15 years of hard labor, and severely mistreated at the hands of North Korean officials. While in captivity, Otto Warmbier suffered a serious medical emergency that placed him into a comatose state. Otto Warmbier was comatose upon his release in June 2017 and died 6 days later.

(5) Despite increased penalties for possession and viewership of foreign media, the people of North Korea have increased their desire for foreign media content, according to a survey of 200 defectors concluding that 90 percent had watched South Korean or other foreign media before defecting.

(6) On March 23, 2021, in an annual resolution, the United Nations General Assembly condemned “the long-standing and ongoing systematic, widespread and gross violations of human rights in the Democratic People's Republic of Korea” and expressed grave concern at, among other things, “the denial of the right to freedom of thought, conscience, and religion . . . and of the rights to freedom of opinion, expression, and association, both online and offline, which is enforced through an absolute monopoly on information and total control over organized social life, and arbitrary and unlawful state surveillance that permeates the private lives of all citizens”.

(7) In 2018, Typhoon Yutu caused extensive damage to 15 broadcast antennas used by the United States Agency for Global Media in Asia, resulting in reduced programming to North Korea. The United States Agency for Global Media has rebuilt 5 of the 15 antenna systems as of June 2021.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in the event of a crisis situation, particularly where information pertaining to the crisis is being actively censored or a false narrative is being put forward, the

United States should be able to quickly increase its broadcasting capability to deliver fact-based information to audiences, including those in North Korea; and

(2) the United States International Broadcasting Surge Capacity Fund is already authorized under section 316 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6216), and expanded authority to transfer unobligated balances from expired accounts of the United States Agency for Global Media would enable the Agency to more nimbly respond to crises.

SEC. 1293. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to provide the people of North Korea with access to a diverse range of fact-based information;

(2) to develop and implement novel means of communication and information sharing that increase opportunities for audiences in North Korea to safely create, access, and share digital and non-digital news without fear of repressive censorship, surveillance, or penalties under law; and

(3) to foster and innovate new technologies to counter North Korea's state-sponsored repressive surveillance and censorship by advancing internet freedom tools, technologies, and new approaches.

SEC. 1294. UNITED STATES STRATEGY TO COMBAT NORTH KOREA'S REPRESSIVE INFORMATION ENVIRONMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall develop and submit to Congress a strategy on combating North Korea's repressive information environment.

(b) ELEMENTS.—The strategy required by subsection (a) shall include the following:

(1) An assessment of the challenges to the free flow of information into North Korea created by the censorship and surveillance technology apparatus of the Government of North Korea.

(2) A detailed description of the agencies and other government entities, key officials, and security services responsible for the implementation of North Korea's repressive laws regarding foreign media consumption.

(3) A detailed description of the agencies and other government entities and key officials of foreign governments that assist, facilitate, or aid North Korea's repressive censorship and surveillance state.

(4) A review of existing public-private partnerships that provide circumvention technology and an assessment of the feasibility and utility of new tools to increase free expression, circumvent censorship, and obstruct repressive surveillance in North Korea.

(5) A description of and funding levels required for current United States Government programs and activities to provide access for the people of North Korea to a diverse range of fact-based information.

(6) An update of the plan required by section 104(a)(7)(A) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814(a)(7)(A)).

(7) A description of Department of State programs and funding levels for programs that promote internet freedom in North Korea, including monitoring and evaluation efforts.

(8) A description of grantee programs of the United States Agency for Global Media in North Korea that facilitate circumvention tools and broadcasting, including monitoring and evaluation efforts.

(9) A detailed assessment of how the United States International Broadcasting Surge Capacity Fund authorized under section 316 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6216) has operated to respond to crisis situations in the past, and how authority to transfer un-

obligated balances from expired accounts would help the United States Agency for Global Media in crisis situations in the future.

(10) A detailed plan for how the authorization of appropriations under section 1297 will operate alongside and augment existing programming from the relevant Federal agencies and facilitate the development of new tools to assist that programming.

(c) FORM OF STRATEGY.—The strategy required by subsection (a) shall be submitted in unclassified form, but may include the matters required by paragraphs (2) and (3) of subsection (b) in a classified annex.

SEC. 1295. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS RESPONSIBLE FOR NORTH KOREA'S REPRESSIVE CENSORSHIP AND SURVEILLANCE STATE.

(a) IN GENERAL.—The President may impose the following sanctions with respect to any foreign person that the President determines knowingly engaged in, facilitated, or was responsible for censorship by the Government of North Korea or the Workers' Party of Korea identified under paragraph (2) or (3) of section 1294(b):

(1) BLOCKING OF PROPERTY.—The President may exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—In the case of an alien, the alien may be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subparagraph (A) may be subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) EFFECT.—A revocation under clause (i) shall—

(I) take effect consistent with section 221 of the Immigration and Nationality Act (8 U.S.C. 1201); and

(II) cancel any other valid visa or entry documentation that is in the alien's possession.

(b) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (a)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(c) NATIONAL SECURITY WAIVER.—The President may waive the imposition of sanctions under subsection (a) with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) submits to the appropriate congressional committees a notification of the waiver and the reasons for the waiver.

(d) EXCEPTIONS.—

(1) INTELLIGENCE ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply with respect to any authorized law enforcement activities of the United States.

(3) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Subsection (a)(2) shall not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(4) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority or a requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term "good" means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(e) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN.—The terms "admission", "admitted", and "alien" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) FOREIGN PERSON.—The term "foreign person" means any person that is not a United States person.

(4) UNITED STATES PERSON.—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted to the United States for permanent residence;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States; or

(C) any person in the United States.

SEC. 1296. REPORT ON ENFORCEMENT OF SANCTIONS WITH RESPECT TO NORTH KOREA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through 2024, the Secretary of State and the Secretary of the Treasury shall jointly submit to the appropriate congressional committees (as defined in section 1295(e)) a report on sanctions-related activities and enforcement undertaken by the United States Government with respect to North Korea during the period described in subsection (b) that includes—

(1) an assessment of activities conducted by persons in North Korea or the Government of North Korea that would require mandatory designations pursuant to the

North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9201 et seq.); and

(2) sanctions-related enforcement or other sanctions-related actions undertaken by the United States Government pursuant to that Act.

(b) PERIOD DESCRIBED.—The period described in this subsection is—

(1) in the case of the first report required by subsection (a), the period beginning on January 1, 2021, and ending on the date on which the report is required to be submitted; and

(2) in the case of each subsequent report required by subsection (a), the one-year period preceding submission of the report.

SEC. 1297. PROMOTING FREEDOM OF INFORMATION AND COUNTERING CENSORSHIP AND SURVEILLANCE IN NORTH KOREA.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the United States Agency for Global Media \$10,000,000 for each of fiscal years 2022 through 2026 to provide increased broadcasting and grants for the following purposes:

(1) To promote the development of internet freedom tools, technologies, and new approaches, including both digital and non-digital means of information sharing related to North Korea.

(2) To explore public-private partnerships to counter North Korea's repressive censorship and surveillance state.

(3) To develop new means to protect the privacy and identity of individuals receiving media from the United States Agency for Global Media and other outside media outlets from within North Korea.

(4) To bolster existing programming from the United States Agency for Global Media by restoring the broadcasting capacity of damaged antennas caused by Typhoon Yutu in 2018.

(b) ANNUAL REPORTS.—Section 104(a)(7)(B) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814(a)(7)(B)) is amended—

(1) in the matter preceding clause (i)—

(A) by striking “1 year after the date of the enactment of this paragraph” and inserting “September 30, 2022”; and

(B) by striking “Broadcasting Board of Governors” and inserting “Chief Executive Officer of the United States Agency for Global Media”; and

(2) in clause (i), by inserting after “this section” the following: “and sections 1294 and 1297 of the Otto Warmbier Countering North Korean Censorship and Surveillance Act of 2021”.

SA 3880. Mr. PORTMAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 704. TRICARE FOR MEMBERS OF THE RETIRED RESERVE.

(a) ADJUSTMENT OF ELIGIBILITY.—Paragraph (2) of section 1074(b) of title 10, United States Code, is amended to read as follows:

“(2) Paragraph (1) does not apply to a member or former member eligible for retired pay for non-regular service under chap-

ter 1223 of this title who is under 60 years of age unless such member or former member is in receipt of such pay (or would be in receipt of such pay but for section 5304 or 5305 of title 38).”.

(b) TRICARE RETIRED RESERVE.—Section 1076e(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “who is qualified for a non-regular retirement at age 60 under chapter 1223 of this title, but is not age 60,” and inserting “described in paragraph (3)”;

(2) by adding at the end the following new paragraph:

“(3) A member of the Retired Reserve of a reserve component of the armed forces is described in this paragraph if the member—

“(A) is qualified for a non-regular retirement at age 60 under chapter 1223 of this title;

“(B) is not age 60; and

“(C) is not in receipt of retired pay under such chapter, unless the member is not in receipt of such retired pay due to the application of section 5304 or 5305 of title 38.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect January 1, 2022.

SA 3881. Mr. PORTMAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

Subtitle —Improvement of Housing Outcomes for Veterans

SEC. ____ DEPARTMENT OF VETERANS AFFAIRS SHARING OF INFORMATION RELATING TO COORDINATED ENTRY PROCESSES FOR HOUSING AND SERVICES OPERATED UNDER DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT CONTINUUM OF CARE PROGRAM.

(a) IN GENERAL.—The Under Secretary for Health of the Department of Veterans Affairs shall—

(1) provide to staff of medical centers of the Department of Veterans Affairs and homelessness service providers of the Department the information described in subsection (b); and

(2) ensure that such information, and other resources the Under Secretary determines are appropriate, are accessible to such staff and providers.

(b) INFORMATION DESCRIBED.—The information described in this subsection is information related to best practices with respect to the collaboration between medical centers of the Department of Veterans Affairs, homelessness service providers of the Department, and local partners (including local offices of the Department of Housing and Urban Development or public housing agencies, and private and public local community organizations) on the centralized or coordinated assessment systems established and operated by Continuums of Care under section 578.7(a)(8) of title 24, Code of Federal Regulations, including making referrals and sharing data, as the Under Secretary determines appropriate.

SEC. ____ DEPARTMENT OF VETERANS AFFAIRS COMMUNICATION WITH EMPLOYEES RESPONSIBLE FOR HOMELESSNESS ASSISTANCE PROGRAMS.

The Under Secretary for Health of the Department of Veterans Affairs shall clearly communicate with employees of the Department of Veterans Affairs whose responsibilities are related to homelessness assistance programs regarding—

(1) the measurement of performance of such programs by the Homeless Programs Office of the Department; and

(2) how to obtain and provide feedback about performance measures.

SEC. ____ SYSTEM FOR SHARING AND REPORTING DATA.

(a) IN GENERAL.—The Secretary of Veterans Affairs and the Secretary of Housing and Urban Development shall work together to develop a system for effectively sharing and reporting data between the community-wide homelessness management information system described in section 402(f)(3) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360a(f)(3)) and the Homeless Operations Management and Evaluation System of the Department of Veterans Affairs.

(b) DEADLINE.—The Secretary of Veterans Affairs and the Secretary of Housing and Urban Development shall ensure that the system developed under subsection (a) is operational not later than three years after the date of the enactment of this Act.

SEC. ____ TRAINING AND TECHNICAL ASSISTANCE REGARDING SERVICES PROVIDED TO VETERANS AT RISK OF, EXPERIENCING, OR TRANSITIONING OUT OF HOMELESSNESS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall provide training and technical assistance to entities serving veterans at risk of, experiencing, or transitioning out of homelessness regarding—

(1) the provision of such services to such veterans; and

(2) the planning and development of such services.

(b) COORDINATION.—The Secretary of Veterans Affairs may coordinate the provision of training and technical assistance under subsection (a) with the Secretary of Housing and Urban Development and the Secretary of Labor.

(c) ELEMENTS.—The training and technical assistance provided under subsection (a) shall include coordination and communication of best practices among all programs administered by the Veterans Health Administration directed at serving veterans at risk of, experiencing, or transitioning out of homelessness.

(d) PROVISION OF TRAINING.—The Secretary of Veterans Affairs may provide the training and technical assistance under subsection (a) directly or through grants or contracts with such public or nonprofit private entities as the Secretary considers appropriate.

SA 3882. Mr. PORTMAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 607. FORGIVENESS OR OFFSET OF OVERPAYMENT OF RETIRED PAY PAID TO A JOINT ACCOUNT FOR A PERIOD AFTER THE DEATH OF THE RETIRED MEMBER OF THE ARMED FORCES.

(a) WHEN PAYMENT DEPOSITED TO JOINT ACCOUNT.—Section 2771 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) In the case of overpayment of retired or retainer pay, arising from payment of such retired or retainer pay for any period after the date of the death of a recipient through the last day of the month in which such death occurs, if such payment is electronically deposited in an accredited financial institution to a joint account bearing the name of the decedent and another individual who is the decedent’s designated beneficiary under subsection (a)(1), the Secretary of Defense—

“(1) if the decedent is an individual to whom section 1448 of this title applies, shall elect to—

“(A) forgive the overpayment on behalf of the United States; or

“(B) offset the overpayment pursuant to section 1450(n) of this title; or

“(2) if the decedent is not an individual to whom section 1448 of this title applies, shall forgive the overpayment on behalf of the United States.”.

(b) COORDINATION WITH SURVIVOR BENEFIT PLAN.—Section 1450 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting “, or that applies under subsection (n)” after “under subsection (j)”;

(2) by adding at the end the following new subsection:

“(n) SPECIAL RULE IN CASE OF CERTAIN FINAL RETIRED PAY OVERPAYMENT.—In a case described in section 2771(e) of this title, if the individual described in that subsection other than the decedent is the beneficiary of the decedent under the Plan, each of the first 12 payments, following the death of the decedent, of the annuity payable to the decedent’s beneficiary under the Plan, shall be reduced by one-twelfth of such overpayment.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to payments made to persons who die on or after the date of the enactment of this Act.

SA 3883. Mr. DURBIN (for himself, Mr. LEAHY, Ms. BALDWIN, Mr. BOOKER, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. DISBURSEMENT OF FOREIGN MILITARY FINANCING FUNDS FOR EGYPT TO FOREIGN MILITARY SALES TRUST FUND.

Notwithstanding any other provision of law, funds appropriated pursuant to the Foreign Military Financing Program for assistance for Egypt for fiscal years 2021 and 2022 shall be disbursed to the Foreign Military Sales Trust Fund.

SA 3884. Mr. DURBIN submitted an amendment intended to be proposed to

amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. REPORT ON ALLEGATIONS OF WAR CRIMES AND TORTURE COMMITTED BY UNITED STATES CITIZENS IN LIBYA.

(a) IN GENERAL.—Not later than 180 days after receiving a credible allegation of the commission of a covered offense, including from a nongovernmental organization that monitors violations of human rights, the Attorney General, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on such allegation, including a determination as to whether the Attorney General will review or consider reviewing such allegation for potential criminal investigation, and a description of any challenges to prosecution.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEE OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED OFFENSE.—The term “covered offense” means an offense under section 2340A, 2441, or 2442 of title 18, United States Code, committed in Libya by or at the order of a United States citizen.

SA 3885. Mr. DURBIN (for himself, Mr. LEAHY, Ms. BALDWIN, Mr. BOOKER, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. REPORT ON INCIDENTS OF ARBITRARY DETENTION, VIOLENCE, AND STATE-SANCTIONED HARASSMENT BY THE GOVERNMENT OF EGYPT.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report on incidents of violence against, and arbitrary detention and state-sanctioned harassment of, United States citizens, individuals in the United States, and family members of such citizens and individuals carried out by the security agencies of the Government of Egypt in Egypt or the United States.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A detailed description of any such incident during the three-year period imme-

diately preceding the date on which the report is submitted.

(2) A determination of whether such incidents constitute a pattern of acts of intimidation or harassment.

(3) A description of any action taken by the Secretary of State to meaningfully deter such incidents.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex with respect to the elements described in paragraphs (2) and (3) of subsection (b) if such classified annex is provided separately.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SA 3886. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4301 for Operation and Maintenance, Defense-wide relating to Administrative and Service-Wide Activities, in the item relating to Defense Security Cooperation Agency, insert after the item relating to AFRICOM UFR—AFRICOM the following:

BALTIC SECURITY INITIATIVE	[175,000]
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SA 3887. Mr. DURBIN (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—

(1) IN GENERAL.—Section 1715 of title 38, United States Code, is amended to read as follows:

“§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

“(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘facility of the Veterans Health Administration’ means any land or

building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

“(A) under the jurisdiction of the Department of Veterans Affairs;

“(B) under the control of the Veterans Health Administration; and

“(C) not under the control of the General Services Administration.

“(2) The term ‘smoke’ includes—

“(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

“(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigars.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”.

(b) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102-585; 38 U.S.C. 1715 note) is repealed.

SA 3888. Mr. DURBIN (for himself, Mr. LEAHY, and Mr. OSSOFF) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1238. TERMINATION OF AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.

(a) FUTURE AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted into law after the date of enactment of this Act shall terminate on the date that is 10 years after the date of enactment of such authorization or declaration.

(b) EXISTING AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted before the date of the enactment of this Act shall terminate on the date that is 6 months after the date of such enactment.

SA 3889. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1236 and insert the following:

SEC. 1236. SENSE OF SENATE ON PROVISION OF SECURITY ASSISTANCE TO BALTIC COUNTRIES.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Baltic countries are particularly vulnerable to continued aggression from the Russian Federation, including through increased air provocations, military build ups in the Baltic region, disinformation campaigns, cyberattacks, and other forms of intimidation.

(2) Since fiscal year 2018, the United States has allocated over \$498,965,000 in Department of Defense partner capacity funding for the Baltic countries, including over \$219,000,000 for the Baltic Security Initiative pursuant to sections 332 and 333 of title 10, United States Code, for security assistance to Baltic countries with respect to—

- (A) air defense;
- (B) maritime situational awareness;
- (C) ammunition;
- (D) command, control, communications, computers, intelligence, surveillance, and reconnaissance;
- (E) anti-tank capability;
- (F) special forces; and
- (G) other defense capabilities.

(3) The Secretary of Defense has completed the comprehensive Baltic defense assessment required by section 1246 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1661) and has recommended continued robust, comprehensive investment in Baltic security efforts based on that assessment.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the security of the Baltic region is crucial to the security of the North Atlantic Treaty Organization alliance and the continued provision of security assistance to the Baltic countries is critical to ensuring deterrence against Russian aggression and bolstering the security of North Atlantic Treaty Organization allies; and

(2) the Senate strongly supports robust assistance to accomplish United States strategic objectives, including by providing assistance to the Baltic countries through the Baltic Security Initiative.

SA 3890. Mr. RUBIO (for himself, Mr. WARNER, Mr. BENNET, Mr. BLUNT, Mr. BURR, Mr. CASEY, Ms. COLLINS, Mr. COTTON, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Mr. KING, Mr. RISCH, Mr. SASSE, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EXPANSION OF TREATMENT OF MOVING EXPENSES.

(a) PURPOSE.—The purpose of this section is to facilitate the movement of members of the intelligence community to meet mission critical needs and to reduce unintended tax burdens imposed on public servants in relocating duty stations.

(b) DEDUCTION.—Section 217(k) of the Internal Revenue Code of 1986 is amended by inserting “or an employee or new appointee of

the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) (other than a member of the Armed Forces of the United States) who moves pursuant to a change in assignment that requires relocation” after “to whom subsection (g) applies”.

(c) EXCLUSION FOR QUALIFIED MOVING EXPENSE REIMBURSEMENTS.—Section 132(g)(2) of the Internal Revenue Code of 1986 is amended by inserting “or an employee or new appointee of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) (other than a member of the Armed Forces of the United States) who moves pursuant to a change in assignment that requires relocation” after “change of station”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SA 3891. Mr. CASEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LOCALITY PAY EQUITY.

(a) LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A GENERAL SCHEDULE PAY LOCALITY.—

(1) LOCAL WAGE AREA LIMITATION.—Section 5343(a) of title 5, United States Code, is amended—

(A) in paragraph (1)(B)(i), by striking “(but such)” and all that follows through “are employed”;

(B) in paragraph (4), by striking “and” after the semicolon;

(C) in paragraph (5), by striking the period after “Islands” and inserting “; and”; and

(D) by adding at the end the following:

“(6) The Office of Personnel Management shall define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as ‘Rest of United States’.”.

(2) GENERAL SCHEDULE PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (2)(C), by striking “and” after the semicolon;

(B) in paragraph (3), by striking the period after “employee” and inserting “; and”; and

(C) by adding at the end the following:

“(4) ‘pay locality’ has the meaning given that term under section 5302.”.

(b) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out the purpose of this section, including regulations to ensure that the enactment of this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)(2) of title 5, United States Code).

(c) APPLICABILITY.—The amendments made by this section shall apply on and after the first day of the first full pay period beginning at least 180 days after the date of enactment of this Act.

SA 3892. Mrs. GILLIBRAND submitted an amendment intended to be

proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 356. STANDARDS FOR RESPONSE ACTIONS WITH RESPECT TO CONTAMINATION FROM PFAS.

(a) IN GENERAL.—In conducting response actions to address PFAS contamination from activities of the Department of Defense or National Guard, the Secretary of Defense shall conduct such actions to achieve a level of PFAS in the environmental media that meets or exceeds the most stringent of the following standards for PFAS in any environmental media:

(1) The applicable State standard, in effect in that State, as described in clause (ii) of section 121(d)(2)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(d)(2)(A)).

(2) The applicable Federal standard as described in clause (i) of such section.

(3) A health advisory under section 1412(b)(1)(F) of the Safe Drinking Water Act (42 U.S.C. 300g-1(b)(1)(F)).

(b) DEFINITIONS.—In this section:

(1) PFAS.—The term “PFAS” means a perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom.

(2) RESPONSE ACTION.—The term “response action” means an action taken pursuant to section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604).

(c) SAVINGS CLAUSE.—Except with respect to the specific level required to be met under subsection (a), nothing in this section affects the application of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

SA 3893. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 704. EXPANSION OF ELIGIBILITY FOR HEARING AIDS TO INCLUDE CHILDREN OF CERTAIN RETIRED MEMBERS OF THE UNIFORMED SERVICES.

Paragraph (16) of section 1077(a) of title 10, United States Code, is amended to read as follows:

“(16) Except as provided by subsection (g), a hearing aid, but only if the dependent has a profound hearing loss, as determined under standards prescribed in regulations by the Secretary of Defense in consultation with the administering Secretaries, and only for the following dependents:

“(A) A dependent of a member of the uniformed services on active duty.

“(B) A dependent under subparagraph (D) or (I) of section 1072(2) of this title of a former member of the uniformed services who is entitled to retired or retainer pay, or equivalent pay.”.

SA 3894. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 704. EXPANSION OF ELIGIBILITY FOR HEARING AIDS TO INCLUDE CHILDREN OF CERTAIN RETIRED MEMBERS OF THE UNIFORMED SERVICES.

Paragraph (16) of section 1077(a) of title 10, United States Code, is amended to read as follows:

“(16) Except as provided by subsection (g), a hearing aid, but only if the dependent has a profound hearing loss, as determined under standards prescribed in regulations by the Secretary of Defense in consultation with the administering Secretaries, and only for the following dependents:

“(A) A dependent of a member of the uniformed services on active duty.

“(B) A dependent under subparagraph (D) or (I) of section 1072(2) of this title of a former member of the uniformed services who is entitled to retired or retainer pay, or equivalent pay.”.

SA 3895. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 744. GRANT PROGRAM FOR INCREASED CO-OPERATION ON POST-TRAUMATIC STRESS DISORDER RESEARCH BETWEEN UNITED STATES AND ISRAEL.

(a) FINDINGS AND SENSE OF CONGRESS.—

(1) FINDINGS.—Congress makes the following findings:

(A) The Department of Veterans Affairs reports that between 11 and 20 percent of veterans who served in Operation Iraqi Freedom and Operation Enduring Freedom have post-traumatic stress disorder (in this paragraph referred to as “PTSD”) in a given year. In addition, that figure amounts to about 12 percent of Gulf War veterans and up to 30 percent of Vietnam veterans.

(B) The Department of Veterans Affairs reports that among women veterans of the conflicts in Iraq and Afghanistan, almost 20 percent have been diagnosed with PTSD.

(C) It is thought that 70 percent of individuals in the United States have experienced at least one traumatic event in their lifetime, and approximately 20 percent of those individuals have struggled or continue to struggle with symptoms of PTSD.

(D) Studies show that PTSD has links to homelessness and substance abuse in the United States. The Department of Veterans Affairs estimates that approximately 11 percent of the homeless population are veterans and the Substance Abuse and Mental Health Services Administration estimates that about seven percent of veterans have a substance abuse disorder.

(E) Our ally Israel, under constant attack from terrorist groups, experiences similar issues with Israeli veterans facing symptoms of PTSD. The National Center for Traumatic Stress and Resilience at Tel Aviv University found that five to eight percent of combat soldiers experience some form of PTSD, and during wartime, that figure rises to 15 to 20 percent.

(F) Current treatment options in the United States focus on cognitive therapy, exposure therapy, or eye movement desensitization and reprocessing, but the United States must continue to look for more effective treatments. Several leading hospitals, academic institutions, and nonprofit organizations in Israel dedicate research and services to treating PTSD.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, acting through the Psychological Health and Traumatic Brain Injury Research Program, should seek to explore scientific collaboration between academic institutions and nonprofit research entities in the United States and institutions in Israel with expertise in researching, diagnosing, and treating post-traumatic stress disorder.

(b) GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs and the Secretary of State, shall award grants to eligible entities to carry out collaborative research between the United States and Israel with respect to post-traumatic stress disorders.

(2) AGREEMENT.—The Secretary of Defense shall carry out the grant program under this section in accordance with the Agreement on the United States-Israel binational science foundation with exchange of letters, signed at New York September 27, 1972, and entered into force on September 27, 1972.

(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be an academic institution or a nonprofit entity located in the United States.

(d) AWARD.—The Secretary shall award grants under this section to eligible entities that—

(1) carry out a research project that—

(A) addresses a requirement in the area of post-traumatic stress disorders that the Secretary determines appropriate to research using such grant; and

(B) is conducted by the eligible entity and an entity in Israel under a joint research agreement; and

(2) meet such other criteria that the Secretary may establish.

(e) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such commitments and information as the Secretary may require.

(f) GIFT AUTHORITY.—

(1) IN GENERAL.—The Secretary may accept, hold, and administer any gift of money made on the condition that the gift be used for the purpose of the grant program under this section.

(2) DEPOSIT.—Gifts of money accepted under paragraph (1) shall be deposited in the Treasury in the Department of Defense General Gift Fund and shall be available, subject to appropriation, without fiscal year limitation.

(g) **REPORTS.**—Not later than 180 days after the date on which an eligible entity completes a research project using a grant under this section, the Secretary shall submit to Congress a report that contains—

(1) a description of how the eligible entity used the grant; and

(2) an evaluation of the level of success of the research project.

(h) **TERMINATION.**—The authority to award grants under this section shall terminate on the date that is seven years after the date on which the first such grant is awarded.

SA 3896. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 744. GRANT PROGRAM FOR INCREASED CO-OPERATION ON POST-TRAUMATIC STRESS DISORDER RESEARCH BETWEEN UNITED STATES AND ISRAEL.

(a) **FINDINGS AND SENSE OF CONGRESS.**—

(1) **FINDINGS.**—Congress makes the following findings:

(A) The Department of Veterans Affairs reports that between 11 and 20 percent of veterans who served in Operation Iraqi Freedom and Operation Enduring Freedom have post-traumatic stress disorder (in this paragraph referred to as “PTSD”) in a given year. In addition, that figure amounts to about 12 percent of Gulf War veterans and up to 30 percent of Vietnam veterans.

(B) The Department of Veterans Affairs reports that among women veterans of the conflicts in Iraq and Afghanistan, almost 20 percent have been diagnosed with PTSD.

(C) It is thought that 70 percent of individuals in the United States have experienced at least one traumatic event in their lifetime, and approximately 20 percent of those individuals have struggled or continue to struggle with symptoms of PTSD.

(D) Studies show that PTSD has links to homelessness and substance abuse in the United States. The Department of Veterans Affairs estimates that approximately 11 percent of the homeless population are veterans and the Substance Abuse and Mental Health Services Administration estimates that about seven percent of veterans have a substance abuse disorder.

(E) Our ally Israel, under constant attack from terrorist groups, experiences similar issues with Israeli veterans facing symptoms of PTSD. The National Center for Traumatic Stress and Resilience at Tel Aviv University found that five to eight percent of combat soldiers experience some form of PTSD, and during wartime, that figure rises to 15 to 20 percent.

(F) Current treatment options in the United States focus on cognitive therapy, exposure therapy, or eye movement desensitization and reprocessing, but the United States must continue to look for more effective treatments. Several leading hospitals, academic institutions, and nonprofit organizations in Israel dedicate research and services to treating PTSD.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary of Defense, acting through the Psychological Health and Traumatic Brain Injury Research Program,

should seek to explore scientific collaboration between academic institutions and nonprofit research entities in the United States and institutions in Israel with expertise in researching, diagnosing, and treating post-traumatic stress disorder.

(b) **GRANT PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs and the Secretary of State, shall award grants to eligible entities to carry out collaborative research between the United States and Israel with respect to post-traumatic stress disorders.

(2) **AGREEMENT.**—The Secretary of Defense shall carry out the grant program under this section in accordance with the Agreement on the United States-Israel binational science foundation with exchange of letters, signed at New York September 27, 1972, and entered into force on September 27, 1972.

(c) **ELIGIBLE ENTITIES.**—To be eligible to receive a grant under this section, an entity shall be an academic institution or a nonprofit entity located in the United States.

(d) **AWARD.**—The Secretary shall award grants under this section to eligible entities that—

(1) carry out a research project that—

(A) addresses a requirement in the area of post-traumatic stress disorders that the Secretary determines appropriate to research using such grant; and

(B) is conducted by the eligible entity and an entity in Israel under a joint research agreement; and

(2) meet such other criteria that the Secretary may establish.

(e) **APPLICATION.**—To be eligible to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such commitments and information as the Secretary may require.

(f) **GIFT AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary may accept, hold, and administer any gift of money made on the condition that the gift be used for the purpose of the grant program under this section.

(2) **DEPOSIT.**—Gifts of money accepted under paragraph (1) shall be deposited in the Treasury in the Department of Defense General Gift Fund and shall be available, subject to appropriation, without fiscal year limitation.

(g) **REPORTS.**—Not later than 180 days after the date on which an eligible entity completes a research project using a grant under this section, the Secretary shall submit to Congress a report that contains—

(1) a description of how the eligible entity used the grant; and

(2) an evaluation of the level of success of the research project.

(h) **TERMINATION.**—The authority to award grants under this section shall terminate on the date that is seven years after the date on which the first such grant is awarded.

SA 3897. Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VIII, add the following:

SEC. 838. DEFENSE SUPPLY CHAIN RISK ASSESSMENT FRAMEWORK.

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish a framework, which may be included as part of a framework developed under section 2509 of title 10, United States Code, and pursuant to recommendations provided under section 5 of Executive Order 14017 (86 Fed. Reg. 11849, relating to America's supply chains), to consolidate the information relating to risks to the defense supply chain that is collected by the elements of the Department of Defense to—

(1) enable Department-wide risk assessments of the defense supply chain; and

(2) support the development of strategies to mitigate risks to the defense supply chain.

(b) **FRAMEWORK REQUIREMENTS.**—The framework established under subsection (a) shall—

(1) provide for the collection, management, and storage of data from the supply chain risk management processes of the Department of Defense;

(2) provide for the collection of reports on supply chain risk management from the military departments and Defense Agencies, and the dissemination of such reports to the components of the military departments and Defense Agencies involved in the management of supply chain risk;

(3) enable all elements of the Department to analyze the information collected by such framework to identify risks to the defense supply chain;

(4) enable the Department to—

(A) assess the capabilities of foreign adversaries (as defined in section 8(c) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c))) to affect the defense supply chain;

(B) analyze the ability of the industrial base of the United States to meet the needs of the defense supply chain;

(C) track global technology trends that could affect the defense supply chain, as determined by the Secretary of Defense; and

(D) assess the risks posed by emerging threats to the defense supply chain;

(5) support the identification of technology in which the Department may invest to reduce risks to the defense supply chain, including by improving the resilience of the defense supply; and

(6) provide for—

(A) a map of the supply chains for major end items that supports analysis, monitoring, and reporting with respect to high-risk subcontractors and risks to such supply chain; and

(B) the use of a covered application described in subsection (c) in the creation of such map to assess risks to the supply chain for major end items by business sector, vendor, program, part, or technology.

(c) **COVERED APPLICATION DESCRIBED.**—The covered application described in this subsection is a covered application that includes the following elements:

(1) A centralized database that consolidates multiple disparate data sources into a single repository to ensure the consistent availability of data.

(2) Centralized reporting to allow for efficient mitigation and remediation of identified supply chain vulnerabilities.

(3) Broad interoperability with other software and systems to ensure support for the analytical capabilities of user across the Department.

(4) Scalable technology to support multiple users, access controls for security, and functionality designed for information-sharing and collaboration.

(d) **GUIDANCE.**—Not later than 180 days after the framework required under subsection (a) is established, and regularly thereafter, the Secretary of Defense shall issue guidance on mitigating risks to the defense supply chain.

(e) **REPORTS.**—

(1) **PROGRESS REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of establishing the framework as required under subsection (a).

(2) **FINAL REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the framework established under subsection (a) and the organizational structure to manage and oversee the framework.

(f) **DEFINITIONS.**—In this section:

(1) **COVERED APPLICATION.**—The term “covered application” means a software-as-a-service application that uses decision science, commercial data, and machine learning techniques.

(2) **DEFENSE AGENCY; MILITARY DEPARTMENT.**—The terms “Defense Agency” and “military department” have the meanings given such terms in section 101 of title 10, United States Code.

(3) **HIGH-RISK SUBCONTRACTORS.**—The term “high-risk subcontractor” means a subcontractor at any tier that supplies major end items for the Department of Defense.

(4) **MAJOR END ITEM.**—The term “major end item” means an item subject to a unique item-level traceability requirement at any time in the life cycle of such item under Department of Defense Instruction 8320.04, titled “Item Unique Identification (IUID) Standards for Tangible Personal Property” and dated September 3, 2015, or any successor instruction.

SA 3898. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. REPORT ON ALL COMPREHENSIVE SANCTIONS IMPOSED ON FOREIGN GOVERNMENTS.

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States, in consultation with the Secretary of State, the Secretary of the Treasury, and the head of any other relevant Federal department or agency that the Comptroller General determines necessary, shall submit to the appropriate congressional committees a report on all comprehensive sanctions imposed, under any provision of law, on—

(1) de jure or de facto governments of foreign countries; and

(2) non-state actors that exercise significant de facto governmental control over a foreign civilian population.

(b) **MATTERS TO BE INCLUDED.**—The report required by subsection (a) shall include—

(1) an assessment of the effect of sanctions imposed on each government described in paragraph (1) of that subsection and each non-state actor described in paragraph (2) of that subsection on—

(A) the ability of the civilian population to access water, food, sanitation, and public health services, including all humanitarian aid and supplies related to the prevention, diagnosis, and treatment of COVID-19;

(B) the changes to the general mortality rate, maternal mortality rate, life expectancy, and literacy rate;

(C) the extent to which there is an increase in refugees or migration to or from the country or an increase in internally displaced people in the country;

(D) the degree of compliance and non-compliance of the government or non-state actor with international humanitarian assistance efforts; and

(E) the licensing of transactions to allow access to essential goods and services to vulnerable populations, including—

(i) the number of licenses applied for, approved, or denied;

(ii) in cases of license applications that were denied, the reasons why such application were denied; and

(iii) the average time to receive a decision; and

(2) a description of the purpose of sanctions imposed on each such government and non-state actor and the required legal or political authority, including—

(A) an assessment of the role of United States national security;

(B) an assessment of whether the stated foreign policy goals of the sanctions are being met;

(C) the degree of international support or opposition to the sanctions; and

(D) an assessment of the effect of such sanctions on United States businesses, consumers, and financial institutions.

(c) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex. The unclassified portion of the report shall be published on a publicly available internet website of the Government of the United States.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate.

SA 3899. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 857. PROTECTIONS FOR WHISTLEBLOWERS SEEKING TO ENSURE ACCOUNTABILITY AND OVERSIGHT OF COVID-19 PANDEMIC RESPONSE.

(a) **DEFENSE CONTRACTS.**—Section 2409 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

“(1) A protected individual may not be discharged, demoted, harassed, blacklisted,

prejudiced by any action or lack of action, or otherwise discriminated against for disclosing, being perceived as disclosing, or preparing to disclose (including assisting in disclosing, being perceived as assisting in disclosing, and including a disclosure made in the ordinary course of job duties) to a person or body described in paragraph (2) information that the protected individual reasonably believes is evidence of—

“(A)(i) gross mismanagement of a Department of Defense contract, subcontract, grant, or subgrant relating to covered funds;

“(ii) a gross waste of Department funds or covered funds;

“(iii) an abuse of authority related to a Department contract or grant or the distribution, implementation, or use of covered funds, including conflict of interest or partiality;

“(iv) any violation of any statute, rule, or regulation related to a Department of Defense contract, subcontract (including the competition for or negotiation of a contract or subcontract), grant, or subgrant, awarded or issued relating to covered funds; and

“(v) conduct that violates, obstructs, or undermines any law, rule, or regulation related to any Federal contract (including the competition for or negotiation of a contract) or grant, including any statute, rule, or regulation with respect to any coronavirus pandemic-related program, project, or activity;

“(B) refusing to obey an order that the protected individual reasonably believes would require that individual to violate a statute, rule, or regulation with respect to any covered funds, including any coronavirus pandemic-related program, project, or activity;

“(C) evidencing gross mismanagement of a National Aeronautics and Space Administration contract, grant, subcontract, or subgrant, a gross waste of Administration funds, an abuse of authority relating to an Administration contract or grant, or a violation of law, rule, or regulation related to an Administration contract (including the competition for or negotiation of a contract), grant, subcontract, or subgrant; or

“(D) a substantial and specific danger to worker or public health or safety.”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “or a representative of a committee of Congress” and inserting “, a representative of a committee of Congress, or commission of Congress”;

(ii) in subparagraph (B), by inserting “, including the Special Inspector General for Pandemic Relief and any other Office of Inspector General established by law” after “Inspector General”;

(iii) in subparagraph (G), by striking “who has the responsibility to investigate” and inserting “authorized to investigate”; and

(iv) by adding after subparagraph (G) the following new subparagraphs:

“(H) The Pandemic Response Accountability Committee.

“(I) An officer or representative of a labor organization.

“(J) The head of an executive agency or a designee of such agency head.”; and

(C) in paragraph (3)(A)—

(i) by striking “an employee” and inserting “a protected individual”;

(ii) by striking “contractor or subcontractor” and inserting “contractor, subcontractor, grantee, or subgrantee”; and

(iii) by striking “contract or grant” and inserting “contract, subcontract, grant, or subgrant”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “A person who believes that the person” and inserting “A protected individual who believes that the protected individual”;

(ii) by striking “Space Administration.” and inserting “Space Administration, who shall review the complaint for investigation, and shall investigate the alleged misconduct disclosed by the protected individual if there previously has not been such an investigation or if the appropriate Inspector General determines that the original investigation was biased or otherwise inadequate.”; and

(iii) by striking “previously been addressed” and inserting “been filed”;

(B) by amending paragraph (3) to read as follows:

“(3)(A) A person or body described in subsection (a)(2) that receives information under paragraph (1) and any other person or body to which such information is disclosed may not exercise discretion to respond to any inquiry or disclose the identity or identifying information of the protected individual providing the information without prior explicit written consent of the protected individual.

“(B) If disclosure of the identity or identifying information of a protected individual providing information under paragraph (1) is required by law, the recipient shall provide timely notice of the disclosure to the protected individual.

“(C) The Inspector General investigating alleged discrimination under this section may not respond to any inquiry or disclose any information from or about any protected individual alleging such discrimination, except in accordance with the provisions of section 552a of title 5 (commonly referred to as the ‘Privacy Act’), or as required by any other applicable Federal law.”; and

(C) by adding at the end the following new paragraph:

“(5) Upon completion of an investigation under this subsection into alleged misconduct disclosed by the protected individual, the Inspector General shall submit a report of the findings of the investigation to—

“(A) the person against whom the misconduct is alleged;

“(B) the protected individual concerned;

“(C) the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as applicable; and

“(D) the congressional committees of jurisdiction.”;

(3) in subsection (c)—

(A) in paragraph (1)(B), by striking “compensatory damages (including back pay)” and inserting “compensatory damages (including double back pay)”;

(B) by striking paragraph (7);

(C) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7);

(D) by inserting after paragraph (1) the following new paragraph:

“(2)(A) A protected individual alleging a reprisal under this section shall have access to the investigative file of the Office of Inspector General in accordance with section 552a of title 5. The investigation by the Office of Inspector General shall be deemed closed for purposes of disclosure under such section when an individual files an appeal to the head of an executive agency or a court of competent jurisdiction.

“(B) In the event a protected individual alleging a reprisal under this section brings a civil action under this subsection, the protected individual and the non-Federal employer (or the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as applicable, in the case of a Federal personal services contract involving covered funds), if applicable, shall have access to the investigative file of the Office of Inspector General in accordance with section 552a of title 5.

“(C) The Inspector General may exclude from disclosure—

“(i) information protected from disclosure by a provision of law; and

“(ii) any additional information the Inspector General determines disclosure of which would impede a continuing investigation, if such information is disclosed once such disclosure would no longer impede such investigation, unless the Inspector General determines that disclosure of law enforcement techniques, procedures, or information could reasonably be expected to risk circumvention of the law or disclose the identity of a confidential source.”;

(E) in paragraph (3), as redesignated by subparagraph (C), by striking “may bring a de novo action at law or equity against the contractor to seek compensatory damages” and inserting “may bring a de novo action at law or equity against any entity violating subsection (a) to seek compensatory damages”; and

(F) in paragraph (4), as so redesignated, by striking “paragraph (2)” and inserting “paragraph (3)”;

(4) by striking subsection (d);

(5) by redesignating subsection (e) as subsection (d);

(6) by inserting after subsection (d), as so redesignated, the following new subsection:

“(e) GENERAL PROVISIONS.—(1) Nothing in this section shall diminish the rights, privileges, or remedies of any protected individual under any Federal or State law, or under any collective bargaining agreement.

“(2) Notwithstanding any other provision of law, a protected individual shall be immune from civil and criminal liability for making the disclosure if the protected individual would be protected from reprisal under subsection (a). The protected individual shall bear the burden required under subsection (a) of proving that the individual would be protected from reprisal under subsection (a) for making the disclosure. This section does not provide a defense against activities unrelated to protected activity under subsection (a).

“(3)(A) Except as provided under subparagraph (C), the rights and remedies provided for in this section may not be waived by any public or private agreement, policy, form, or condition of employment, including by any predispute arbitration agreement.

“(B) Except as provided under subparagraph (C), no predispute arbitration agreement shall be valid or enforceable if it requires arbitration of a dispute arising under this section.

“(C) Notwithstanding subparagraphs (A) and (B), an arbitration provision in a collective bargaining agreement shall be enforceable as to disputes arising under the collective bargaining agreement.

“(4) Any non-Federal employer receiving covered funds (and the head of the applicable agency in the case of a Federal personal services contract involving covered funds) shall prominently post notice on its website and to each employee of the rights and remedies provided under this section in the predominant native languages of the workforce.”;

(7) in subsection (f)—

(A) by inserting “(1)” before “Nothing”;

(B) by adding “or other reprisal” after “discrimination”;

(C) by striking “an employee” and inserting “a protected individual”;

(D) by striking “the employee” and inserting “the protected individual”; and

(E) by adding at the end the following new paragraph:

“(2) State and local employees may file complaints for relief under this section, and nothing in this section may be construed to preempt, preclude, or limit the protections provided for public or private employees under State or local whistleblower laws.”;

(8) in subsection (g)—

(A) by redesignating paragraphs (1), (2), (5), (6), and (7) as paragraphs (2), (9), (10), (1), and (8), respectively;

(B) in paragraph (1), as so redesignated, by striking “means the following” and all that follows through the period at the end and inserting the following: “means an arbitrary and capricious exercise of authority by a contracting officer or employee that adversely affects the rights of any individual, or that results in personal gain or advantage to the officer or employee or to preferred other individuals.”; and

(C) by inserting after paragraph (4) the following new paragraphs:

“(5) The term ‘coronavirus pandemic-related program, project, or activity’—

“(A) means a program, project, or activity of the executive branch of the Federal Government authorized under or carried out using amounts made available under an Act to respond to or to provide aid or assistance to address, relief from, or funding to address the outbreak of COVID-19 that is enacted before, on, or after the date of enactment of this paragraph; and

“(B) includes any program, project, or activity of the executive branch of the Federal Government authorized under or carried out using amounts made available under—

“(i) the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116-139), or an amendment made by that Act;

“(ii) the CARES Act (Public Law 116-136) or an amendment made by that Act;

“(iii) the Families First Coronavirus Response Act (Public Law 116-127), or an amendment made by that Act;

“(iv) the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116-123), or an amendment made by that Act; or

“(v) division M or N of the Consolidated Appropriations Act, 2021 (Public Law 116-260), or an amendment made by that division.

“(6) The term ‘covered funds’ means any contract, subcontract, grant, subgrant, loan, loan guarantee, or other payment for which—

“(A) the Federal Government provides any portion of the funds or property that is provided, requested, or demanded; or

“(B) any portion of the funds are appropriated or otherwise made available under or to carry out a Coronavirus pandemic-related program, project, or activity.

“(7) The term ‘employee’—

“(A) except as provided under subparagraph (B), means an individual performing services on behalf of an employer, including any individual working for an employer under a grant or contract with such employer (including a contractor, subcontractor, grantee, subgrantee, or agent of an employer); and

“(B) does not include any Federal employee or member of the uniformed services (as that term is defined in section 101(a)(5) of title 10).”;

(D) by inserting after paragraph (10), as so redesignated, the following new paragraphs:

“(11) The term ‘non-Federal employer’—

“(A) means any employer—

“(i) with respect to covered funds—

“(I) the contractor, subcontractor, grantee, subgrantee, or recipient, as the case may be, if the contractor, subcontractor, grantee, subgrantee, or recipient is an employer; and

“(II) any professional membership organization, certification or other professional body, any agent or licensee of the Federal Government, or any person acting directly or indirectly in the interest of an employer receiving covered funds; or

“(ii) with respect to covered funds received by a State or local government, the State or

local government receiving the funds and any contractor or subcontractor of the State or local government; and

“(B) does not mean any department, agency, or other entity of the Federal Government, except with respect to a personal services contractor.

“(12) The term ‘protected individual’ means—

“(A) a contractor, subcontractor, grantee, or subgrantee;

“(B) an employee, applicant, or former employee of a contractor, subcontractor, grantee, or subgrantee; or

“(C) a personal services contractor who engages in activity for which any discrimination is prohibited under subsection (a).

“(13) The term ‘State or local government’ means—

“(A) the government of each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States; or

“(B) the government of any political subdivision of a government listed in subparagraph (A).”.

(b) CIVILIAN CONTRACTS.—Section 4712 of title 41, United States Code, is amended—

(1) in subsection (A)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—A protected individual may not be discharged, demoted, harassed, blacklisted, prejudiced by any action or lack of action, or otherwise discriminated against for disclosing, being perceived as disclosing, or preparing to disclose (including assisting in disclosing, being perceived as assisting in disclosing, and including a disclosure made in the ordinary course of job duties) to a person or body described in paragraph (2) information that the protected individual reasonably believes is evidence of misconduct that violates, obstructs, or undermines any law, rule, or regulation related to any Federal contract (including the competition for or negotiation of a contract) or grant, including any statute, rule, or regulation with respect to any Coronavirus pandemic-related program, project, or activity, and also including—

“(A)(i) gross mismanagement of an agency contract, subcontract, grant, or subgrant relating to covered funds;

“(ii) a gross waste of covered funds;

“(iii) a substantial and specific danger to worker or public health or safety;

“(iv) an abuse of authority related to the distribution, implementation, or use of covered funds, including conflict of interest or partiality; and

“(v) any violation of any statute, rule, or regulation related to an agency contract, subcontract (including the competition for or negotiation of a contract or subcontract), grant, or subgrant, awarded or issued relating to covered funds; or

“(B) refusing to obey an order that the protected individual reasonably believes would require that individual to violate a statute, rule, or regulation with respect to any covered funds, including any coronavirus pandemic-related program, project, or activity.”.

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “or a representative of a committee of Congress” and inserting “, a representative of a committee of Congress, or a commission of Congress”;

(ii) in subparagraph (B), by inserting “, including the Special Inspector General for Pandemic Relief and any other Office of Inspector General established by law” after “Inspector General”;

(iii) in subparagraph (G), by striking “who has the responsibility to investigate” and inserting “authorized to investigate”; and

(iv) by adding after subparagraph (G) the following new subparagraphs:

“(H) The Pandemic Response Accountability Committee.

“(I) An officer or representative of a labor organization.

“(J) The head of an executive agency or a designee of such agency head.”; and

(C) in paragraph 3(A)—

(i) by striking “an employee” and inserting “a protected individual”; and

(ii) by striking “contract or grant” and inserting “contract, subcontract, grant, or subgrant”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “A person who believes” and inserting “Any person described under subsection (a)(1) who believes”; and

(ii) by inserting “, who shall review the complaint for investigation, and shall investigate the alleged misconduct disclosed by the protected individual if there previously has not been such an investigation or if the Inspector General determines that the original investigation was biased or otherwise inadequate” after “to the Inspector General of the executive agency involved”;

(B) by amending paragraph (3) to read as follows:

“(3) PROTECTION OF WHISTLEBLOWER IDENTITY.—

“(A) IN GENERAL.—A person or body described in subsection (a)(2) that receives information under paragraph (1) and any person or body to which the officer or entity discloses the information may not exercise discretion to respond to any inquiry or disclose the identity or identifying information of the protected individual providing the information without prior explicit written consent of the protected individual.

“(B) NOTICE.—If disclosure of the identity or identifying information of a protected individual providing information under paragraph (1) is required by law, the recipient shall provide timely notice of the disclosure to the protected individual.

“(C) PRIVACY OF INFORMATION.—The Inspector General investigating alleged discrimination under this section may not respond to any inquiry or disclose any information from or about any protected individual alleging such discrimination, except in accordance with the provisions of section 552a of title 5 (commonly referred to as the ‘Privacy Act’), or as required by any other applicable Federal law.”; and

(C) by adding at the end the following new paragraph:

“(5) REPORT.—Upon completion of an investigation under this subsection into alleged misconduct disclosed by the protected individual, the Inspector General shall submit a report of the findings of the investigation to—

“(A) the person;

“(B) the contractor, subcontractor, grantee, or subgrantee concerned;

“(C) the head of the agency; and

“(D) the congressional committees of jurisdiction.”;

(3) in subsection (c)—

(A) in paragraph (1)(B), by striking “compensatory damages (including back pay)” and inserting “compensatory damages (including double back pay)”;

(B) by striking paragraph (7);

(C) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7);

(D) by inserting after paragraph (1) the following new paragraph:

“(2) ACCESS TO INVESTIGATIVE FILE.—

“(A) IN GENERAL.—A protected individual alleging a reprisal under this section shall

have access to the investigative file of the Office of Inspector General in accordance with section 552a of title 5. The investigation by the Office of Inspector General shall be deemed closed for purposes of disclosure under such section when an individual files an appeal to the head of an executive agency or a court of competent jurisdiction.

“(B) CIVIL ACTION.—In the event a protected individual alleging a reprisal under this section brings a civil action under this subsection, the protected individual and the non-Federal employer (or the head of the applicable executive agency in the case of a Federal personal services contract involving covered funds), if applicable, shall have access to the investigative file of the Office of Inspector General in accordance with section 552a of title 5.

“(C) EXCEPTION.—The Inspector General may exclude from disclosure—

“(i) information protected from disclosure by a provision of law; and

“(ii) any additional information the Inspector General determines disclosure of which would impede a continuing investigation, if such information is disclosed once such disclosure would no longer impede such investigation, unless the Inspector General determines that disclosure of law enforcement techniques, procedures, or information could reasonably be expected to risk circumvention of the law or disclose the identity of a confidential source.”;

(E) in paragraph (3), as redesignated by subparagraph (C), by striking “may bring a de novo action at law or equity against the contractor, subcontractor, grantee, or subgrantee to seek compensatory damages” and inserting “may bring a de novo action at law or equity against any entity violating subsection (a) to seek compensatory damages”; and

(F) in paragraph (4), as so redesignated, by striking “paragraph (2)” and inserting “paragraph (3)”;

(4) by striking subsection (d);

(5) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(6) in subsection (d), as redesignated by paragraph (5)—

(A) by inserting “(1)” before “Nothing”;

(B) by adding “or other reprisal” after “discrimination”;

(C) by striking “an employee” and inserting “a protected individual”;

(D) by striking “the employee” and inserting “the protected individual”; and

(E) by adding at the end the following new paragraph:

“(2) State and local employees may file complaints for relief under this section, and nothing in this section may be construed to preempt, preclude, or limit the protections provided for public or private employees under State or local whistleblower laws.”;

(7) by inserting after subsection (e), as so redesignated, the following new subsection:

“(f) GENERAL PROVISIONS.—

“(1) RIGHTS RETAINED BY EMPLOYEE.—Nothing in this section shall diminish the rights, privileges, or remedies of any protected individual under any Federal or State law, or under any collective bargaining agreement.

“(2) LIABILITY.—Notwithstanding any other provision of law, a protected individual shall be immune from civil and criminal liability for making the disclosure if the protected individual would be protected from reprisal under subsection (a). The protected individual shall bear the burden required under subsection (a) of proving that the individual would be protected from reprisal under subsection (a) for making the disclosure. This paragraph does not provide a defense against activities unrelated to protected activity under subsection (a).

“(3) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING OR OVERRIDING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

“(A) WAIVER OF RIGHTS AND REMEDIES.—Except as provided under subparagraph (C), the rights and remedies provided for in this section may not be waived by any public or private agreement, policy, form, or condition of employment, including by any predispute arbitration agreement.

“(B) PREDISPUTE ARBITRATION AGREEMENTS.—Except as provided under subparagraph (C), no predispute arbitration agreement shall be valid or enforceable if it requires arbitration of a dispute arising under this section.

“(C) EXCEPTION FOR COLLECTIVE BARGAINING AGREEMENTS.—Notwithstanding subparagraphs (A) and (B), an arbitration provision in a collective bargaining agreement shall be enforceable as to disputes arising under the collective bargaining agreement.

“(4) REQUIREMENT TO POST NOTICE OF RIGHTS AND REMEDIES.—Any non-Federal employer receiving covered funds (and the head of the applicable agency in the case of a Federal personal services contract involving covered funds) shall prominently post notice on its website and to each employee of the rights and remedies provided under this section, in the predominant native languages of the workforce.”; and

(8) in subsection (g)—

(A) in paragraph (1), by striking “that is inconsistent” and all that follows through the period at the end and inserting “by a contracting officer or employee that adversely affects the rights of any individual, or that results in personal gain or advantage to the officer or employee or to preferred other individuals.”;

(B) by redesignating paragraph (2) as paragraph (5);

(C) by inserting after paragraph (1) the following new paragraphs:

“(2) The term ‘coronavirus pandemic-related program, project, or activity’—

“(A) means a program, project, or activity of the executive branch of the Federal Government authorized under or carried out using amounts made available under an Act to respond to or to provide aid or assistance to address, relief from, or funding to address the outbreak of COVID-19 that is enacted before, on, or after the date of enactment of this paragraph; and

“(B) includes any program, project, or activity of the executive branch of the Federal Government authorized under or carried out using amounts made available under—

“(i) the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116-139), or an amendment made by that Act;

“(ii) the CARES Act (Public Law 116-136), or an amendment made by that Act;

“(iii) the Families First Coronavirus Response Act (Public Law 116-127), or an amendment made by that Act;

“(iv) the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116-123), or an amendment made by that Act; or

“(v) division M or N of the Consolidated Appropriations Act, 2021 (Public Law 116-260), or an amendment made by that division.

“(3) The term ‘covered funds’ means any contract, subcontract, grant, subgrant, loan, loan guarantee, or other payment for which—

“(A) the Federal Government provides any portion of the funds or property that is provided, requested, or demanded; or

“(B) any portion of the funds are appropriated or otherwise made available under or to carry out a Coronavirus pandemic-related program, project, or activity.

“(4) The term ‘employee’—

“(A) except as provided under subparagraph (B), means an individual performing services on behalf of an employer, including any individual working for an employer under a grant or contract with such employer (including a contractor, subcontractor, grantee, subgrantee, or agent of an employer); and

“(B) does not include any Federal employee or member of the uniformed services (as that term is defined in section 101(a)(5) of title 10).”; and

(D) by inserting after paragraph (5), as redesignated by subparagraph (B), the following new paragraphs:

“(6) The term ‘non-Federal employer’—

“(A) means any employer—

“(i) with respect to covered funds—

“(I) the contractor, subcontractor, grantee, subgrantee, or recipient, as the case may be, if the contractor, subcontractor, grantee, subgrantee, or recipient is an employer; and

“(II) any professional membership organization, certification or other professional body, any agent or licensee of the Federal Government, or any person acting directly or indirectly in the interest of an employer receiving covered funds; or

“(ii) with respect to covered funds received by a State or local government, the State or local government receiving the funds and any contractor or subcontractor of the State or local government; and

“(B) does not mean any department, agency, or other entity of the Federal Government, except with respect to a personal services contractor.

“(7) The term ‘protected individual’ means—

“(A) a contractor, subcontractor, grantee, or subgrantee; or

“(B) an employee, applicant or former employee of a contractor, subcontractor, grantee, or subgrantee; or

“(C) a personal services contractor who engages in activity for which any discrimination is prohibited under subsection (a).

“(8) The term ‘State or local government’ means—

“(A) the government of each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States; or

“(B) the government of any political subdivision of a government listed in subparagraph (A).”.

(C) COMPLAINT PORTAL.—The Special Inspector General for Pandemic Relief, the Pandemic Relief Accountability Committee, and the Congressional Oversight Commission shall each establish a public website where any individual who believes that the individual has been subjected to a reprisal prohibited under subsection (a) of section 2409 of title 10, United States Code, or subsection (a) of section 4712 of title 41, United States Code, as amended by subsections (a) and (b), respectively, of this section, may submit a complaint regarding the reprisal. Any complaint so submitted shall be transmitted to the relevant Office of Inspector General for enforcement in accordance with such sections, including notice to the complainant of the referral and relevant procedures.

SA 3900. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 2831. CONSIDERATION OF PUBLIC EDUCATION WHEN MAKING BASING DECISIONS.

(a) IN GENERAL.—Section 2883 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) is amended—

(1) by redesignating subsections (e) through (j) as subsections (f) through (k), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) EDUCATION.—

“(1) IN GENERAL.—With regard to a military housing area in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which high-quality public education is available and accessible to dependents of members of the Armed Forces in the military housing area by comparing progress of students served by relevant local educational agencies described in paragraph (4) under the statewide accountability system described in section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) as compared to the progress of all students in such State under such system.”.

“(2) PUBLICATION OF DATA.—The Secretary of the military department concerned shall make the data used in carrying out paragraph (1) available to the public in a manner that ensures that States and communities can understand the process for making decisions under such paragraph.

“(3) CONSULTATION.—In carrying out paragraph (1) with respect to an installation subject to a basing decision covered by subsection (a), the Secretary of the military department concerned shall consult with and seek input from leadership and education liaisons for the installation and State, local, and Tribal education agencies.

“(4) RELEVANT LOCAL EDUCATIONAL AGENCIES DESCRIBED.—Relevant local educational agencies described in this paragraph include—

“(A) local educational agencies that serve dependents of members of the Armed Forces in the State in which the military housing area described in paragraph (1) is located; and

“(B) local educational agencies in such State that serve or would be likely to serve a significant number or percentage of dependents of members of the Armed Forces in the military housing area described in paragraph (1) as determined by the Secretary of the military department concerned, in consultation with the education liaisons for the installation described in such paragraph.”.

(b) CONFORMING AMENDMENT.—Subsection (a) of such section is amended by striking “subsection (e)” and inserting “subsection (f)”.

SA 3901. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ . ADVANCED BATTLE MANAGEMENT SYSTEM RESEARCH AND DEVELOPMENT.

(a) RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—The Secretary of the Air Force shall continue research and development of the Advanced Battle Management System.

(2) ELEMENTS.—Research and development under paragraph (1) shall include the following:

(A) Identifying necessary associated aircraft, technological platforms, and necessary associated units.

(B) Identifying regional ecosystems with advantageous supporting base structures and academic institutions that would complement the central location.

(C) Assessing the feasibility and advisability of establishing an Advanced Battle Management System center of excellence to be the processing, exploitation, and dissemination hub of development for the system and associated platforms and aircraft.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the Advanced Battle Management System.

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) A timeline defining the breadth of the Advanced Battle Management System.

(B) An assessment of the feasibility and advisability of establishing of an Advanced Battle Management System center of excellence as described in subsection (a)(2)(C).

SA 3902. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. MODIFICATION AND EXTENSION OF AUTHORIZATION OF USE OF WORKING CAPITAL FUNDS FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS RELATED TO REVITALIZATION AND RECAPITALIZATION OF DEFENSE INDUSTRIAL BASE FACILITIES.

Section 2208(u) of title 10, United States Code, is amended—

(1) in paragraph (2)(B), by striking “specified in subsection (a)(2)” and all that follows through the period at the end and inserting “shall be \$20,000,000 instead of any dollar limitation specified in section 2805 of this title.”; and

(2) by striking paragraph (4).

SA 3903. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 1601 and insert the following:

SEC. 1601. MATTERS CONCERNING CYBER PERSONNEL REQUIREMENTS.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) determine the overall workforce requirement of the Department of Defense for cyber operation, information operation, and software engineering military personnel (across the active and reserve components of the Armed Forces (other than the Coast Guard)) and civilian personnel, and in doing so shall—

(A) consider personnel in positions securing the Department of Defense Information Network and associated enterprise information technology, defense agencies and field activities, and combatant commands, including current billets primarily associated with the information environment and cyberspace domain and projected future billets;

(B) consider the mix between military and civilian personnel, active and reserve components, and the use of the National Guard;

(C) develop a workforce development plan that covers accessions, training, and education; and

(D) consider such other elements as the Secretary determines appropriate;

(2) assess current and future general information warfare, software, and cyber education curriculum and requirements for military and civilian personnel, including—

(A) acquisition personnel;

(B) accessions and recruits to the military services;

(C) cadets and midshipmen at the military service academies and enrolled in the Senior Reserve Officers’ Training Corps;

(D) information environment, software engineering, and cyberspace military and civilian personnel; and

(E) non-information environment and cyberspace military and civilian personnel;

(3) identify appropriate locations for information warfare, software engineering, and cyber education for military and civilian personnel, including—

(A) the military service academies;

(B) the educational institutions described in section 2151(b) of title 10, United States Code;

(C) the Air Force Institute of Technology;

(D) the National Defense University;

(E) the Joint Special Operations University;

(F) any other military educational institution of the Department specified by the Secretary for purposes of this section;

(G) the Cyber Centers of Academic Excellence certified jointly by the National Security Agency and the Department of Homeland Security;

(H) potential future educational institutions of the Federal Government, including an assessment, in consultation with the Secretary of Homeland Security and the National Cyber Director, of the feasibility and advisability of a National Cyber Academy or similar institute created for the purpose of educating and training civilian and military personnel for service in cyber, information, and related fields throughout the Federal Government; and

(I) potential colleges, universities, and research institutes located in proximity to key military installations or with close ties to military installations who have programs focused on information warfare, software engineering, and cybersecurity;

(4) identify pathways to workforce growth, including—

(A) any current hiring practices or restrictions that constrain workforce growth or retention;

(B) areas where partnership with State and local educational agencies focused on elementary or secondary education can boost workforce in an area, especially in rural schools and schools that receive funds under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(C) incentive and policy options to bring qualified individuals to the regions where the jobs are currently;

(D) authorities and programs at the Department of Labor that could be used to educate, retrain, or incentivize individuals to pursue these fields of study; and

(E) options for scholarships and internships to grow a workforce pipeline; and

(5) determine—

(A) whether the cyberspace domain, software engineering, and information warfare mission requires a graduate-level professional military education college on par with and distinct from the war colleges for the Army, Navy, and Air Force in effect on the day before the date of the enactment of this Act;

(B) whether such a college should be joint; and

(C) where it should be located.

(b) REPORT REQUIRED.—Not later than November 1, 2022, the Secretary shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing and, not later than Jan 1, 2023, the Secretary shall submit to such committees a report on—

(1) the findings of the Secretary in carrying out subsection (a);

(2) an implementation plan to achieve future information warfare and cyber education requirements at appropriate locations;

(3) such recommendations as the Secretary may have for personnel needs in information warfare and the cyberspace domain; and

(4) such legislative or administrative action as the Secretary identifies as necessary to effectively meet cyber personnel requirements.

(c) EDUCATION DEFINED.—The term “education” includes formal education requirements, such as degrees and certification in targeted subject areas, but also general training, including—

(1) reskilling;

(2) knowledge, skills, and abilities; and

(3) nonacademic professional development.

SA 3904. Mr. WARNOCK (for himself, Mrs. BLACKBURN, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 583. STUDY ON EMPLOYMENT OF MILITARY SPOUSES.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study to identify employment barriers affecting military spouses.

(2) ELEMENTS.—The study conducted under paragraph (1) shall determine the following:

(A) The rate or prevalence of military spouses who are currently employed and whether such military spouses have children.

(B) The rate or prevalence of military spouses who are underemployed.

(C) In connection with subparagraph (B), whether a military spouse would have taken a different position of employment if the military spouse were not impacted by the spouse who is a member of the Armed Forces.

(D) The rate or prevalence of military spouses who, due to military affiliation, have experienced discrimination by civilian employers, including loss of employment, denial of a promotion, and difficulty in being hired.

(E) Any other barriers of entry into the local workforce for military spouses, including—

- (i) state licensure requirements;
- (ii) availability of childcare;
- (iii) access to broadband;
- (iv) job availability in military communities; and
- (v) access to housing.

(b) **REPORT.**—Not later than 1 year after the date of the enactment of this section, the Secretary of Defense shall submit to the congressional defense committees a report containing the results of the study conducted under this section, including any policy recommendations to address employment barriers identified by the study.

(c) **DEFINITIONS.**—In this section:

(1) **MILITARY SPOUSE.**—The term “military spouse” means the spouse of a member of the Armed Forces serving on active duty.

(2) **CONGRESSIONAL DEFENSE COMMITTEES.**—The term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SA 3905. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VIII, add the following:

SEC. 838. REQUIREMENT TO PROVIDE PHOTOVOLTAIC DEVICES FROM UNITED STATES SOURCES.

(a) **CONTRACT REQUIREMENT.**—The Secretary of Defense shall ensure that each covered contract includes a provision requiring that any photovoltaic device installed under the contract be manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States, unless the head of the department or independent establishment concerned determines, on a case-by-case basis, that the inclusion of such requirement is inconsistent with the public interest or involves unreasonable costs, subject to exceptions provided in the Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.) or otherwise provided by law.

(b) **DEFINITIONS.**—In this section:

(1) **COVERED CONTRACT.**—The term “covered contract” means a contract awarded by the Department of Defense that provides for a photovoltaic device to be—

(A) installed inside the United States on Department of Defense property or in a facility owned by the Department of Defense; or

(B) reserved for the exclusive or substantial use of the Department of Defense in the United States.

(2) **PHOTOVOLTAIC DEVICE.**—The term “photovoltaic device” means a device that converts light directly into electricity through a solid-state, semiconductor process.

(c) **APPLICABILITY.**—The requirements of this section shall not apply to photovoltaic devices placed in service prior to 180 days after the date of the enactment of this Act.

SA 3906. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. REPORT ON INITIATIVES OF DEPARTMENT OF DEFENSE TO SOURCE LOCALLY AND REGIONALLY PRODUCED FOODS FOR INSTALLATIONS OF THE DEPARTMENT.

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report detailing—

(1) efforts by the Department of Defense to establish and strengthen “farm to base” initiatives to source locally and regionally produced foods for consumption or distribution at installations of the Department;

(2) efforts by the Department to collaborate with relevant Federal agencies, including the Department of Veterans Affairs and the Department of Agriculture, in efforts to procure locally and regionally produced foods;

(3) current procurement practices of the Department of Defense regarding food for consumption or distribution on installations of the Department;

(4) opportunities where procurement of locally and regionally produced foods would be beneficial to members of the Armed Forces, their families, military readiness by improving health outcomes, and farmers near installations of the Department;

(5) barriers currently preventing the Department from increasing procurement of locally and regionally produced foods or preventing farmers from partnering with nearby installations of the Department; and

(6) recommendations for how the Department can improve procurement practices to increase offerings of locally and regionally produced foods.

(b) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(2) the Committee on Armed Services and the Committee on Agriculture of the House of Representatives.

SA 3907. Mr. WARNOCK (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of

Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, insert the following:

SEC. 857. REPORT ON EFFECTS OF SEMICONDUCTOR CHIP SHORTAGE.

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Commerce, shall submit to the appropriate congressional committees a report on the effects of the semiconductor chip shortage on the national and economic security of the United States, including the effects of the shortage on—

(1) current defense acquisition programs; and

(2) the ability of current and future defense acquisition programs—

(A) to use state-of-the-art semiconductor capabilities; and

(B) to incorporate state-of-the-art artificial intelligence capabilities.

(b) **FORM OF REPORT.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives.

SA 3908. Mr. WARNOCK (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10 . PRESERVATION OF MEMORIALS TO CHAPLAINS ON CHAPLAINS HILL AT ARLINGTON NATIONAL CEMETERY.

(a) **UPDATES TO MEMORIALS.**—The National Conference on Ministry to the Armed Forces, or any successor organization recognized in law for purposes of this section, may, at no cost to the Federal Government—

(1)(A) update the memorial to Protestant chaplains located in Arlington National Cemetery, Virginia, with a granite, marble, or other stone base to host the bronze plaque of the memorial;

(B) add an additional plaque to such base that includes the name of each chaplain, verified as described in subsection (b), who died while on active duty since the original memorial was placed; and

(C) make such other updates and corrections to the memorial as may from time to time be needed as determined by the National Conference on Ministry to the Armed Forces or such successor organization; and

(2) make such updates and corrections to the memorial to Catholic chaplains and the memorial to Jewish chaplains located in Arlington National Cemetery as may from time

to time be needed as determined by the National Conference on Ministry to the Armed Forces or such successor organization.

(b) **VERIFICATION OF NAMES.**—The National Conference on Ministry to the Armed Forces, or any successor organization recognized in law for purposes of this section, may verify with the Chief of Chaplains of the Army, the Chief of Chaplains of the Navy, the Chief of Chaplains for the Air Force and the Space Force, and such agencies of the Department of Defense as the Secretary of the Army considers appropriate, the names of chaplains for memorialization in Arlington National Cemetery.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed as authorizing the expansion of any monument or memorial that is located in Arlington National Cemetery as of the date of the enactment of this Act.

SA 3909. Mr. WARNOCK (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 356. REPORT ON JOINT AND SHARED-USE CIVILIAN AIRPORTS AND USE OF FIRE-FIGHTING FOAM CONTAINING PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

Not later than March 1, 2022, the Secretary of Defense shall submit to the congressional defense committees a report on the following:

(1) The coordination between the Department of Defense and the Federal Aviation Administration regarding the joint and shared-use civilian airports that depend on emergency response services under the jurisdiction of the Department.

(2) The progress of the Department and the Federal Aviation Administration in establishing a formal consultation system to coordinate the review process and final actions on firefighting foam containing perfluoroalkyl or polyfluoroalkyl substances with the operators of joint and shared-use civilian airports.

(3) The timeline for the Department to issue directives on firefighting foam containing perfluoroalkyl or polyfluoroalkyl substances.

SA 3910. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 857. BRIEFING ON EXPANDED SMALL UNMANNED AIRCRAFT SYSTEMS CAPABILITY.

The Secretary of Defense shall, not later than January 30, 2022, provide a briefing to

the Committees on Armed Services of the Senate and the House of Representatives on the evaluation of commercially available small unmanned aircraft systems (hereinafter referred to as “sUAS”) with capabilities that align with the Department’s priorities, including—

(1) the timing of the release of the updated list titled “Blue sUAS 2.0” of the Defense Innovation Unit that contains available fixed wing and multirotor commercial small unmanned aircraft systems compliant with section 848 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92); and

(2) the advisability and feasibility of adding end-to-end sUAS solutions to such list, including the sUAS, supporting field management software, technical support, and training, all provided as an integrated collection and analysis capability.

SA 3911. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the subtitle G of title XII, add the following:

SEC. 1283. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) **LIMITATION.**—

(1) **IN GENERAL.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2022 for the Department of Defense may be obligated or expended to sustain a domestic prosecution based on any charge related to the Arms Trade Treaty, to make assessed payments for the Treaty’s Conference of States Parties or to meet in any other way expenses sustained by the Treaty Secretariat, to make voluntary contributions to any international organization or foreign nation for any purpose related to attendance at the Conference, or to implement the Treaty until the Senate approves a resolution advising and consenting to ratification of the Treaty and there is enacted legislation implementing the Treaty.

(2) **EXCEPTIONS.**—The limitation in paragraph (1) shall not apply to a United States delegation attending the Treaty’s Conference of State Parties, subsidiary bodies, or extraordinary meetings, or to the payment, to entities other than the Treaty Secretariat, of an attendance fee towards the cost of preparing and holding the Conference of State Parties, or subsidiary body meeting as applicable.

(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws, regulations, and practices related to export control up to United States standards.

SA 3912. Mr. SCHUMER (for Ms. ERNST) proposed an amendment to the bill S. 1872, to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “United States Army Rangers Veterans of World War II Congressional Gold Medal Act”.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “Secretary” means the Secretary of the Treasury; and

(2) the term “United States Army Rangers Veteran of World War II” means any individual who—

(A) served in the Armed Forces—

(i) honorably;

(ii) in an active duty status; and

(iii) at any time during the period beginning on June 19, 1942, and ending on September 2, 1945; and

(B) was assigned to a Ranger Battalion of the Army at any time during the period described in subparagraph (A)(iii).

SEC. 3. FINDINGS.

Congress finds the following:

(1) In World War II, the Army formed 6 Ranger Battalions and 1 provisional battalion. All members of the Ranger Battalions were volunteers. The initial concept of Ranger units drew from the British method of using highly trained “commando” units and the military tradition of the United States of utilizing light infantry for scouting and raiding operations.

(2) The Ranger Battalions of World War II consisted of—

(A) the 1st Ranger Infantry Battalion, which was activated on June 19, 1942, in Northern Ireland;

(B) the 2d Ranger Infantry Battalion, which was activated on April 1, 1943, at Camp Forrest, Tennessee;

(C) the 3d Ranger Infantry Battalion, which was—

(i) activated as provisional on May 21, 1943, in North Africa; and

(ii) constituted on July 21, 1943, and concurrently consolidated with the provisional unit described in clause (i);

(D) the 4th Ranger Infantry Battalion, which was—

(i) activated as provisional on May 29, 1943, in North Africa; and

(ii) constituted on July 21, 1943, and concurrently consolidated with the provisional unit described in clause (i);

(E) the 5th Ranger Infantry Battalion, which was activated on September 1, 1943, at Camp Forrest, Tennessee;

(F) the 6th Ranger Infantry Battalion, which was—

(i) originally activated on January 20, 1941, at Fort Lewis, Washington, as the 98th Field Artillery Battalion; and

(ii) converted and redesignated on September 26, 1944, as the 6th Ranger Infantry Battalion; and

(G) the 29th Ranger Infantry Battalion, a provisional Army National Guard unit that was—

(i) activated on December 20, 1942, at Tidworth Barracks, England; and

(ii) disbanded on October 18, 1943.

(3) The first combat operations of Army Rangers occurred on August 19, 1942, when 50 Rangers took part in the British-Canadian raid on the French coastal town of Dieppe.

(4) The 1st Ranger Battalion, under the leadership of Major William O. Darby, was used in full strength during the landings at Arzew, Algeria, during the North African campaign. Due to the success of the Rangers in several difficult battles, particularly at El Guettar in March and April of 1943, 2 additional Ranger Battalions were organized in North Africa.

(5) During the North African campaign, the 1st Ranger Battalion was awarded battle honors for its actions in Tunisia. On March 20, 1943, the Battalion penetrated enemy

lines and captured the position Djebel el Ank in a nighttime attack, taking more than 200 prisoners. Two days later, the battalion was attacked by the 10th Panzer division of the German Afrika Korps and, despite heavy losses, continued to defend its position. The following day, the 1st Battalion counter-attacked to clear high ground overlooking the positions held by the Armed Forces. These actions demonstrated the ability of the Rangers to fight in difficult terrain and the courage to endure despite being outnumbered and exposed to heavy enemy fire.

(6) The 29th provisional Ranger Battalion was formed from volunteers drawn from the 29th Infantry Division stationed in England in the fall of 1942. The Battalion was activated on December 20, 1942, and accompanied British commandos on 3 small-scale raids in Norway. Nineteen members of the 29th Ranger Battalion conducted a raid on a German radar site in France on the night of September 3, 1943. After that raid, the 29th Ranger Battalion was disbanded because new Ranger units, the 2d and 5th Battalions, were being formed.

(7) During the summer and fall of 1943, the 1st, 3d, and 4th Ranger Battalions were heavily involved in the campaign in Sicily and the landings in Italy. The 1st and 4th Ranger Battalions conducted a night amphibious landing in Sicily and secured the landing beaches for the main force. The 3d Battalion landed separately at Licata, Sicily, and was able to silence gun positions on an 82-foot cliff overlooking the invasion beaches.

(8) During the invasion of Italy, the 1st and 4th Ranger Battalions landed at Maiori with the mission of seizing the high ground and protecting the flank of the remainder of the main landing by the United States. Enemy forces in the area were estimated to outnumber the Rangers by approximately 8 to 1. Despite these odds, the Rangers took the position and held off 7 enemy counterattacks.

(9) After the invasion of Italy, Rangers continued to be used, often in night attacks, to seize key terrain ahead of the advancing Allied forces. At the Anzio beachhead, the majority of the 1st, 3d, and 4th Ranger Battalions sustained heavy casualties after being cut off behind German lines. The Rangers had planned to infiltrate German positions under the cover of darkness and make a dawn attack on a critical road junction but were pinned down by enemy tanks and an elite German paratrooper unit. After 12 hours of desperate fighting and a failed relief attempt, the majority of the Ranger force was killed, wounded, or captured. Only 6 Rangers from the 1st and 3d Battalions, out of more than 767 men, returned to friendly lines. The 4th Battalion, which had been in reserve, also suffered 60 killed and 120 wounded out of 550 men. These 3 battalions were inactivated and the survivors were transferred to other units.

(10) In the United States, and later in Scotland, the 2d and 5th Ranger Battalions were formed to undertake operations in Western Europe. Those Battalions were engaged on D-Day, assaulting German positions at the Pointe du Hoc coastal battery, and remained in combat through September of 1944. Specifically, Rangers in the 2d Battalion, under the command of Lieutenant Colonel James E. Rudder—

(A) overcame mines, machine gun fire, and enemy artillery while scaling the 100-foot high cliffs at Pointe du Hoc;

(B) held against intense German efforts to retake the position; and

(C) after reaching the top of the cliffs, moved inland roughly 1 mile and sustained heavy casualties while searching for, and ultimately destroying, a German heavy artillery battery.

(11) During June, July, and August of 1944, the 2d and 5th Ranger Battalions were engaged in the campaign in Brest, which included close-range fighting in hedgerows and numerous villages. Later, in operations in Western Germany, the Battalions were frequently used to attack in darkness and gain vital positions to pave the way for the main Army attacks.

(12) During the final drive into Germany in late February and early March 1945, the 5th Ranger Battalion was cited for battle honors for outstanding performance. Under the cover of darkness, the unit drove into German lines and blocked the main German supply route in the sector. The Germans attacked the position of the Rangers from both sides, resulting in heavy Ranger casualties during 5 days of fighting. As a result of the actions of the Rangers, the main Army attack was able to overcome German defenses more easily, occupy the vital city of Trier, and reach the Rhine River.

(13) The 6th Ranger Battalion operated in the Pacific. In the most notable exploit of the 6th Ranger Battalion, in January and February of 1945, the Battalion formed the nucleus of a rescue force that liberated more than 500 Allied prisoners, including prisoners from the United States, from the Cabanatuan prisoner of war camp in the Philippines. With the help of local Filipino guerrillas, the Rangers, led by Lieutenant Colonel Henry A. Mucci, demonstrated extraordinary heroism by infiltrating Japanese-held territory to reach the prisoners of war and prevent them from being killed by the Japanese. After a 25-mile march at night through the jungle, the unit killed all Japanese sentries with no loss of life of the prisoners of war. The unit successfully returned to American lines having lost only 2 soldiers killed and having another 2 wounded.

(14) The 1st Ranger Infantry Battalion—

(A) participated in the campaigns of—

(i) Algeria-French Morocco (with arrowhead);

(ii) Tunisia;

(iii) Sicily (with arrowhead);

(iv) Naples-Foggia (with arrowhead);

(v) Anzio (with arrowhead); and

(vi) Rome-Arno; and

(B) for its contributions, received—

(i) the Presidential Unit Citation (Army) and streamer embroidered with “EL GUETTAR”; and

(ii) the Presidential Unit Citation (Army) and streamer embroidered with “SALERNO”.

(15) The 2d Ranger Infantry Battalion—

(A) participated in the campaigns of—

(i) Normandy (with arrowhead);

(ii) Northern France;

(iii) Rhineland;

(iv) Ardennes-Alsace; and

(v) Central Europe; and

(B) for its contributions, received—

(i) the Presidential Unit Citation (Army) and streamer embroidered with “POINTE DU HOE”; and

(ii) the French Croix de Guerre with Silver-Gilt Star, World War II, and streamer embroidered with “POINTE DU HOE”.

(16) The 3d Ranger Infantry Battalion—

(A) participated in the campaigns of—

(i) Sicily (with arrowhead);

(ii) Naples-Foggia (with arrowhead);

(iii) Anzio (with arrowhead); and

(iv) Rome-Arno; and

(B) for its contributions, received the Presidential Unit Citation (Army) and streamer embroidered with “SALERNO”.

(17) The 4th Ranger Infantry Battalion—

(A) participated in the campaigns of—

(i) Sicily (with arrowhead);

(ii) Naples-Foggia (with arrowhead);

(iii) Anzio (with arrowhead); and

(iv) Rome-Arno; and

(B) for its contributions, received the Presidential Unit Citation (Army) and streamer embroidered with “SALERNO”.

(18) The 5th Ranger Infantry Battalion—

(A) participated in the campaigns of—

(i) Normandy (with arrowhead);

(ii) Northern France;

(iii) Rhineland;

(iv) Ardennes-Alsace; and

(v) Central Europe; and

(B) for its contributions, received—

(i) the Presidential Unit Citation (Army) and streamer embroidered with “NORMANDY BEACHHEAD”; and

(ii) the Presidential Unit Citation (Army) and streamer embroidered with “SAAR RIVER AREA”; and

(iii) the French Croix de Guerre with Silver-Gilt Star, World War II, and streamer embroidered with “NORMANDY”.

(19) The 6th Ranger Infantry Battalion—

(A) participated in the campaigns of—

(i) New Guinea;

(ii) Leyte (with arrowhead); and

(iii) Luzon; and

(B) for its contributions, received—

(i) the Presidential Unit Citation (Army) and streamer embroidered with “CEBU, LUZON”; and

(ii) the Philippine Presidential Unit Citation and streamer embroidered with “17 OCTOBER 1944 TO 4 JULY 1945”.

(20) The United States will be forever indebted to the United States Army Rangers Veterans of World War II, whose bravery and sacrifice in combat contributed greatly to the military success of the United States and the allies of the United States.

SEC. 4. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The President pro tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design to the United States Army Rangers Veterans of World War II, in recognition of their dedicated service during World War II.

(b) DESIGN AND STRIKING.—For the purposes of the award described in subsection (a), the Secretary shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) SMITHSONIAN INSTITUTION.—

(1) IN GENERAL.—Following the award of the gold medal in honor of the United States Army Rangers Veterans of World War II, the gold medal shall be given to the Smithsonian Institution, where the medal shall be—

(A) available for display, as appropriate; and

(B) made available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under paragraph (1) available for display elsewhere, particularly at other locations associated with—

(A) the United States Army Rangers Veterans of World War II; or

(B) World War II.

(d) DUPLICATE MEDALS.—

(1) IN GENERAL.—The Secretary may strike and sell duplicates in bronze of the gold medal struck under this section, at a price sufficient to cover the cost of the medals, including the cost of labor, materials, dies, use of machinery, and overhead expenses.

(2) PROCEEDS OF SALES.—The amounts received from the sale of duplicate medals under paragraph (1) shall be deposited in the United States Mint Public Enterprise Fund.

(e) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck under this Act.

SEC. 5. STATUS OF MEDAL.

(a) **NATIONAL MEDAL.**—The gold medal struck under section 4 shall be a national medal for the purposes of chapter 51 of title 31, United States Code.

(b) **NUMISMATIC ITEMS.**—For the purposes of section 5134 of title 31, United States Code, all medals struck under section 4 shall be considered to be numismatic items.

SA 3913. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. NATIONAL CRITICAL CAPABILITIES REVIEWS.

(a) **IN GENERAL.**—The Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by adding at the end the following:

“TITLE X—NATIONAL CRITICAL CAPABILITIES REVIEWS

“SEC. 1001. DEFINITIONS.

“In this title:

“(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Finance, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Ways and Means, the Committee on Armed Services, the Committee on Education and Labor, the Committee on Financial Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

“(2) **COMMITTEE.**—The term ‘Committee’ means the Committee on National Critical Capabilities established under section 1002.

“(3) **CONTROL.**—The term ‘control’ means the power, direct or indirect, whether exercised or not exercised, to determine, direct, or decide important matters affecting an entity, subject to regulations prescribed by the Committee.

“(4) **COUNTRY OF CONCERN.**—The term ‘country of concern’—

“(A) has the meaning given the term ‘foreign adversary’ in section 8(c)(2) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c)(2)); and

“(B) may include a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) identified by the Committee for purposes of this paragraph by regulation.

“(5) **COVERED TRANSACTION.**—

“(A) **IN GENERAL.**—Except as otherwise provided, the term ‘covered transaction’ means any of the following transactions, proposed or pending on or after the date of the enactment of this title:

“(i) Any transaction by a United States business that—

“(I) shifts or relocates to a country of concern, or transfers to an entity of concern, the design, development, production, manufacture, fabrication, supply, servicing, testing, management, operation, investment, owner-

ship, or any other essential elements involving one or more national critical capabilities identified under subparagraph (B)(ii); or

“(II) could result in an unacceptable risk to a national critical capability.

“(ii) Any other transaction, transfer, agreement, or arrangement, the structure of which is designed or intended to evade or circumvent the application of this title, subject to regulations prescribed by the Committee.

“(B) **REGULATIONS.**—

“(i) **IN GENERAL.**—The Committee shall prescribe regulations further defining the term ‘covered transaction’ in accordance with subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ‘Administrative Procedure Act’).

“(ii) **IDENTIFICATION OF NATIONAL CRITICAL CAPABILITIES.**—For purposes of subparagraph (A)(I), the regulations prescribed by the Committee under clause (i) shall—

“(I) identify the national critical capabilities subject to that subparagraph based on criteria intended to limit application of that subparagraph to the subset of national critical capabilities that is likely to pose an unacceptable risk to the national security and crisis preparedness of the United States; and

“(II) enumerate, quantify, prioritize, and set forth sufficient allowances of, specific types and examples of such capabilities.

“(6) **CRISIS PREPAREDNESS.**—The term ‘crisis preparedness’ means preparedness for—

“(A) a public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d); or

“(B) a major disaster declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

“(7) **CRITICAL INFRASTRUCTURE.**—The term ‘critical infrastructure’ means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on national security, national economic security, national public health or safety, or any combination of those matters.

“(8) **ENTITY OF CONCERN.**—The term ‘entity of concern’ means an entity—

“(A) the ultimate parent entity of which is domiciled in a country of concern; or

“(B) that is directly or indirectly controlled by, owned by, or subject to the influence of a foreign person that has a substantial nexus with a country of concern.

“(9) **FOREIGN ENTITY.**—

“(A) **IN GENERAL.**—Except as provided by subparagraph (B), the term ‘foreign entity’ means any branch, partnership, group or sub-group, association, estate, trust, corporation or division of a corporation, or organization organized under the laws of a foreign country if—

“(i) its principal place of business is outside the United States; or

“(ii) its equity securities are primarily traded on one or more foreign exchanges.

“(B) **EXCEPTION.**—The term ‘foreign entity’ does not include any entity described in subparagraph (A) that can demonstrate that a majority of the equity interest in such entity is ultimately owned by nationals of the United States.

“(10) **FOREIGN PERSON.**—The term ‘foreign person’ means—

“(A) any foreign national, foreign government, or foreign entity;

“(B) any entity over which control is exercised or exercisable by a foreign national, foreign government, or foreign entity; or

“(C) any entity over which control is exercised or exercisable by a person described in subparagraph (A) or (B).

“(11) **NATIONAL CRITICAL CAPABILITIES.**—The term ‘national critical capabilities’, sub-

ject to regulations prescribed by the Committee—

“(A) means systems and assets, whether physical or virtual, so vital to the United States that the inability to develop such systems and assets or the incapacity or destruction of such systems or assets would have a debilitating impact on national security or crisis preparedness; and

“(B) includes the following:

“(i) The production, in sufficient quantities, of any of the following articles:

“(I) Medical supplies, medicines, and personal protective equipment.

“(II) Articles essential to the operation, manufacture, supply, service, or maintenance of critical infrastructure.

“(III) Articles critical to infrastructure construction after a natural or manmade disaster.

“(IV) Articles that are components of systems critical to the operation of weapons systems, intelligence collection systems, or items critical to the conduct of military or intelligence operations.

“(V) Any other articles identified in regulations prescribed under section 1007.

“(ii) Supply chains for the production of articles described in clause (i).

“(iii) Essential supply chains for the Department of Defense.

“(iv) Any other supply chains identified in regulations prescribed under section 1007.

“(v) Services critical to the production of articles described in clause (i) or a supply chain described in clause (ii), (iii), or (iv).

“(vi) Medical services.

“(vii) Services critical to the maintenance of critical infrastructure.

“(viii) Services critical to infrastructure construction after a natural or manmade disaster.

“(ix) Any other services identified in regulations prescribed under section 1007.

“(12) **NATIONAL SECURITY.**—The term ‘national security’ includes—

“(A) national security, as defined in section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a));

“(B) national defense, as defined in section 702 of that Act (50 U.S.C. 4552); and

“(C) agricultural security and natural resources security.

“(13) **PARTY.**—The term ‘party’, with respect to a transaction, has the meaning given that term in regulations prescribed by the Committee.

“(14) **UNITED STATES.**—The term ‘United States’ means the several States, the District of Columbia, and any territory or possession of the United States.

“(15) **UNITED STATES BUSINESS.**—The term ‘United States business’ means a person engaged in interstate commerce in the United States.

“SEC. 1002. COMMITTEE ON NATIONAL CRITICAL CAPABILITIES.

“(a) **IN GENERAL.**—There is established a committee, to be known as the ‘Committee on National Critical Capabilities’, which shall carry out this title and such other assignments as the President may designate.

“(b) **MEMBERSHIP.**—

“(1) **IN GENERAL.**—The Committee shall be comprised of the head, or a designee of the head, of each of the following:

“(A) The Office of the United States Trade Representative.

“(B) The Department of Commerce.

“(C) The Office of Science and Technology Policy.

“(D) The Department of the Treasury.

“(E) The Department of Homeland Security.

“(F) The Department of Defense.

“(G) The Department of State.

“(H) The Department of Justice.

“(I) The Department of Energy.

“(J) The Department of Health and Human Services.

“(K) The Department of Agriculture.

“(L) The Department of Labor.

“(M) Any other Federal agency the President determines appropriate, generally or on a case-by-case basis.

“(2) EX OFFICIO MEMBERS.—

“(A) IN GENERAL.—In addition to the members of the Committee specified in paragraph (1), the following shall, except as provided in subparagraph (B), be nonvoting, ex officio members of the Committee:

“(i) The Director of National Intelligence.

“(ii) The Administrator of the Federal Emergency Management Agency.

“(iii) The Director of the National Institute of Standards and Technology.

“(iv) The Director of the Centers for Disease Control and Prevention.

“(v) The Director of the National Institute of Allergy and Infectious Diseases.

“(vi) The Chairperson of the Federal Communications Commission.

“(vii) The Chairperson of the Securities and Exchange Commission.

“(viii) The Chairperson of the Commodity Futures Trading Commission.

“(ix) The Administrator of the Federal Aviation Administration.

“(B) DESIGNATION AS VOTING MEMBERS.—The chairperson of the Committee may designate any of the officials specified in clauses (i) through (ix) of subparagraph (A) as voting members of the Committee.

“(c) CHAIRPERSON.—

“(1) IN GENERAL.—The United States Trade Representative shall serve as the chairperson of the Committee.

“(2) CONSULTATIONS WITH SECRETARIES OF DEFENSE AND COMMERCE.—In carrying out the duties of the chairperson of the Committee, the United States Trade Representative shall consult with the Secretary of Defense and the Secretary of Commerce.

“(d) DESIGNATION OF OFFICIALS TO CARRY OUT DUTIES RELATED TO COMMITTEE.—The head of each agency represented on the Committee shall designate an official, at or equivalent to the level of Assistant Secretary in the Department of the Treasury, who is appointed by the President, by and with the advice and consent of the Senate, to carry out such duties related to the Committee as the head of the agency may assign.

“SEC. 1003. REVIEW OF COVERED TRANSACTIONS.

“(a) MANDATORY NOTIFICATION.—A United States business that engages in a covered transaction shall submit a written notification of the transaction to the Committee.

“(b) REVIEW.—

“(1) IN GENERAL.—Not later than 60 days after receiving written notification under subsection (a) of a covered transaction, the Committee may—

“(A) review the transaction to determine if the transaction is likely to result in an unacceptable risk to one or more national critical capabilities, including by considering factors specified in section 1005; and

“(B) if the Committee determines under subparagraph (A) that the transaction poses a risk described in that subparagraph, make recommendations—

“(i) to the President for appropriate action that may be taken under this title or under other existing authorities to address or mitigate that risk; and

“(ii) to Congress for the establishment or expansion of Federal programs to support the production or supply of articles and services described in section 1001(a)(11)(B) in the United States.

“(2) UNILATERAL INITIATION OF REVIEW.—The Committee may initiate a review under paragraph (1) of a covered transaction for which written notification is not submitted under subsection (a).

“(3) INITIATION OF REVIEW BY REQUEST FROM CONGRESS.—The Committee shall initiate a review under paragraph (1) of a covered transaction if the chairperson and the ranking member of one of the appropriate congressional committees jointly request the Committee to review the transaction.

“(c) TREATMENT OF BUSINESS CONFIDENTIAL INFORMATION.—A United States business shall submit each notification required by subsection (a) to the Committee—

“(1) in a form that includes business confidential information; and

“(2) in a form that omits business confidential information and is appropriate for disclosure to the public.

“SEC. 1004. ACTION BY THE PRESIDENT.

“(a) IN GENERAL.—Subject to subsection (d), the President may take such action for such time as the President considers appropriate to address or mitigate any unacceptable risk posed by a covered transaction to one or more national critical capabilities, including suspending or prohibiting the covered transaction.

“(b) ANNOUNCEMENT BY THE PRESIDENT.—The President shall announce the decision on whether or not to take action pursuant to subsection (a) with respect to a covered transaction not later than 15 days after the date on which the review of the transaction under section 1003 is completed.

“(c) ENFORCEMENT.—The President may direct the Attorney General of the United States to seek appropriate relief, including divestment relief, in the district courts of the United States, in order to implement and enforce this section.

“(d) FINDINGS OF THE PRESIDENT.—The President may exercise the authority conferred by subsection (a) to suspend or prohibit a covered transaction only if the President finds that—

“(1) there is credible evidence that leads the President to believe that the transaction poses an unacceptable risk to one or more national critical capabilities; and

“(2) provisions of law (other than this section) do not, in the judgment of the President, provide adequate and appropriate authority for the President to protect such capabilities.

“(e) FACTORS TO BE CONSIDERED.—For purposes of determining whether to take action under subsection (a), the President shall consider, among other factors, each of the factors described in section 1005, as appropriate.

“SEC. 1005. FACTORS TO BE CONSIDERED.

“The Committee, in reviewing and making a determination with respect to a covered transaction under section 1003, and the President, in determining whether to take action under section 1004 with respect to a covered transaction, shall consider any factors relating to national critical capabilities that the Committee or the President considers relevant, including—

“(1) the long-term strategic economic, national security, and crisis preparedness interests of the United States;

“(2) the history of distortive or predatory trade practices in each country in which a foreign person that is a party to the transaction is domiciled;

“(3) control and beneficial ownership (as determined in accordance with section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2509 note)) of each foreign person that is a party to the transaction; and

“(4) impact on the domestic industry and resulting resiliency, including the domestic skills base, taking into consideration any pattern of foreign investment in the domestic industry.

“SEC. 1006. SUPPLY CHAIN SENSITIVITIES.

“The Committee shall determine the sensitivities and risks for sourcing of articles

described in section 1001(a)(11)(B)(i), in accordance with the following:

“(1) The sourcing of least concern shall be articles the supply chains for which are housed in whole within countries that are allies of the United States.

“(2) The sourcing of greater concern shall be articles the supply chains for which are housed in part within countries of concern or from an entity of concern but for which substitute production is available from elsewhere at required scale.

“(3) The sourcing of greatest concern shall be articles the supply chains for which are housed wholly or in part in countries of concern or from an entity of concern and for which substitute production is unavailable elsewhere at required scale.

“SEC. 1007. IDENTIFICATION OF ADDITIONAL NATIONAL CRITICAL CAPABILITIES.

“(a) IN GENERAL.—The Committee should prescribe regulations to identify additional articles, supply chains, and services to recommend for inclusion in the definition of ‘national critical capabilities’ under section 1001(a)(11).

“(b) REVIEW OF INDUSTRIES.—

“(1) IN GENERAL.—In identifying under subsection (a) additional articles, supply chains, and services to recommend for inclusion in the definition of ‘national critical capabilities’ under section 1001(a)(11), the Committee should conduct a review of industries identified by Federal Emergency Management Agency as carrying out emergency support functions, including the following industries:

“(A) Energy.

“(B) Medical.

“(C) Communications, including electronic and communications components.

“(D) Defense.

“(E) Transportation.

“(F) Aerospace, including space launch.

“(G) Robotics.

“(H) Artificial intelligence.

“(I) Semiconductors.

“(J) Shipbuilding.

“(K) Water, including water purification.

“(2) QUANTIFICATION.—In conducting a review of industries under paragraph (1), the Committee should specify the quantity of articles, supply chains, and services, and specific types and examples of transactions, from each industry sufficient to maintain national critical capabilities.

“SEC. 1008. REPORTING REQUIREMENTS.

“(a) ANNUAL REPORT TO CONGRESS.—

“(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, and annually thereafter, the Committee shall submit to the appropriate congressional committees a report—

“(A) on the determination under section 1006 with respect to sensitivities and risks for sourcing of articles described in section 1001(a)(11)(B)(i);

“(B) assessing whether identification of additional national critical capabilities under section 1007 is necessary; and

“(C) describing, for the year preceding submission of the report—

“(i) the notifications received under subsection (a) of section 1003 and reviews conducted pursuant to such notifications;

“(ii) reviews initiated under paragraph (2) or (3) of subsection (b) of that section;

“(iii) actions recommended by the Committee under subsection (b)(1)(B) of that section as a result of such reviews; and

“(iv) reviews during which the Committee determined no action was required; and

“(D) assessing the overall impact of such reviews on national critical capabilities.

“(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

“(b) USE OF DEFENSE PRODUCTION ACT OF 1950 AUTHORITIES.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Committee shall submit to Congress a report that includes recommendations relating to use the authorities under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to make investments to enhance national critical capabilities and reduce dependency on materials and services imported from foreign countries.

“SEC. 1009. REQUIREMENT FOR REGULATIONS.

“(a) IN GENERAL.—The Committee shall prescribe regulations to carry out this title.

“(b) ELEMENTS.—Regulations prescribed to carry out this title shall—

“(1) provide for the imposition of civil penalties for any violation of this title, including any mitigation agreement entered into, conditions imposed, or order issued pursuant to this title; and

“(2) include specific examples of the types of—

“(A) the transactions that will be considered to be covered transactions; and

“(B) the articles, supply chains, and services that will be considered to be national critical capabilities.

“(c) COORDINATION.—In prescribing regulations to carry out this title, the Committee shall coordinate with the United States Trade Representative, the Under Secretary of Commerce for Industry and Security, and the Committee on Foreign Investment in the United States to avoid duplication of effort.

“SEC. 1010. REQUIREMENTS RELATED TO GOVERNMENT PROCUREMENT.

“(a) IN GENERAL.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Federal Acquisition Regulation shall be revised to require each person that is a prospective contractor for an executive agency to disclose the supply chains the person would use to carry out the contract and the extent to which the person would depend on articles and services imported from foreign countries, including the percentage of such materials and services imported from countries of concern.

“(b) MATERIALITY.—The head of an executive agency shall consider the failure of a person to make the disclosures required by subsection (a) to be material determinants in awarding a contract to that person.

“(c) APPLICABILITY.—The revisions to the Federal Acquisition Regulation required under subsection (a) shall apply with respect to contracts for which solicitations are issued on or after the date that is 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022.

“(d) DEFINITIONS.—In this section:

“(1) EXECUTIVE AGENCY.—The term ‘executive agency’ has the meaning given that term in section 133 of title 41, United States Code.

“(2) FEDERAL ACQUISITION REGULATION.—The term ‘Federal Acquisition Regulation’ means the regulation issued pursuant to section 1303(a)(1) of title 41, United States Code.

“SEC. 1011. MULTILATERAL ENGAGEMENT AND COORDINATION.

“The United States Trade Representative—

“(1) should, in coordination and consultation with relevant Federal agencies, conduct multilateral engagement with the governments of countries that are allies of the United States to secure coordination of protocols and procedures with respect to covered transactions with countries of concern; and

“(2) upon adoption of protocols and procedures described in paragraph (1), shall work

with those governments to establish information sharing regimes.

“SEC. 1012. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated such sums as may be necessary to carry out this title, including to provide outreach to industry and persons affected by this title.

“SEC. 1013. RULE OF CONSTRUCTION WITH RESPECT TO FREE AND FAIR COMMERCE.

“Nothing in this title may be construed as prohibiting or limiting the free and fair flow of commerce outside of the United States that does not pose an unacceptable risk to a national critical capability.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

“TITLE X—NATIONAL CRITICAL CAPABILITIES REVIEWS

“Sec. 1001. Definitions.

“Sec. 1002. Committee on National Critical Capabilities.

“Sec. 1003. Review of covered transactions.

“Sec. 1004. Action by the President.

“Sec. 1005. Factors to be considered.

“Sec. 1006. Supply chain sensitivities.

“Sec. 1007. Identification of additional national critical capabilities.

“Sec. 1008. Reporting requirements.

“Sec. 1009. Requirement for regulations.

“Sec. 1010. Requirements related to government procurement.

“Sec. 1011. Multilateral engagement and coordination.

“Sec. 1012. Authorization of appropriations.

“Sec. 1013. Rule of construction with respect to free and fair commerce.”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. COONS. Mr. President, I have 8 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 9:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is author-

ized to meet during the session of the Senate on Tuesday, October 26, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND DATA SECURITY

The Subcommittee on Consumer Protection, Product Safety, and Data Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, October 26, 2021, at 10 a.m., to conduct a hearing.

ENSURING COMPLIANCE AGAINST DRUG DIVERSION ACT OF 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 1899 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1899) to amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1899) was ordered to a third reading, was read the third time, and passed.

UNITED STATES ARMY RANGERS VETERANS OF WORLD WAR II CONGRESSIONAL GOLD MEDAL ACT

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 1872 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1872) to award a Congressional Gold Medal, collectively, to the United

States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the Ernst substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3912) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 1872), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

RECOGNIZING OCTOBER 2021 AS NATIONAL PRINCIPALS MONTH

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 428, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 428) recognizing October 2021 as "National Principals Month".

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 428) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, OCTOBER 27, 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, October 27; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Williams nomination; further, that at 11 a.m., the Senate vote on confirmation of the Nachmanoff and Nagala nominations, in the order listed, prior to the cloture vote on the Williams nomination; further, that at 2:15 p.m. the Senate vote on the motions to invoke cloture on the Olsen and Schroeder nominations, in the order listed; and that at 5:15 p.m. the Senate vote on motions to invoke cloture on the Dellinger and Prelogar nominations, in the order listed; further, notwithstanding rule XXII, that if cloture is invoked on any of the nominations during Wednesday's session, the confirmation votes be at a time to be determined by the majority leader in consultation with the Republican leader; finally, if any nominations are confirmed during Wednesday's session, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. For the information of Senators, there will be three rollcall votes starting at 11, two rollcall votes at 2:15, and two rollcall votes at 5:15.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:27 p.m., adjourned until Wednesday, October 27, 2021, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 26, 2021:

THE JUDICIARY

JIA M. COBB, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

KAREN MCGLASHAN WILLIAMS, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

PATRICIA TOLLIVER GILES, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA.

DEPARTMENT OF STATE

JEFFRY LANE FLAKE, OF ARIZONA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TURKEY.

TOM UDALL, OF NEW MEXICO, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF SAMOA.

CINDY HENSLEY MCCAIN, OF ARIZONA, FOR THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE UNITED NATIONS AGENCIES FOR FOOD AND AGRICULTURE.

VICTORIA REGGIE KENNEDY, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AUSTRIA.